Subject: Ethical Physician Conduct in the Media

Presented by: Stephen L. Brotherton, MD, Chair

Policy D-140.957 asks that AMA:

1. Report on the professional ethical obligations for physicians in the media, including guidelines for the endorsement and dissemination of general medical information and advice via television, radio, internet, print media, or other forms of mass audio or video communication;

2. Study disciplinary pathways for physicians who violate ethical responsibilities through their position on a media platform; and

3. Release a statement affirming the professional obligation of physicians in the media to provide quality medical advice supported by evidence-based principles and transparent to any conflicts of interest, while denouncing the dissemination of dubious or inappropriate medical information through the public media including television, radio, internet, and print media.

Following the 2015 Annual Meeting Resolution 016-A-15 was assigned to the Council on Ethical and Judicial Affairs to prepare a report for the House of Delegates to be submitted at the 2016 Annual Meeting.

The resolution seeks to address concerns about the conduct of physicians who make medical information available to the public through various media outlets. The resolution focuses primarily on the potential for medical information to influence behavior, the importance of ensuring the accuracy of medical information, and the obligation to report unethical behavior among physicians. It does not explicitly acknowledge conflict of interest, physicians’ responsibilities with respect to health promotion, or physicians’ use of online and social media.

Resolution 016-A-15 cites the following AMA policies regarding physicians’ relationships with the media:

- E-5.04, Communications Media: Standards of Professional Responsibility
- H-445.997, Interviews with News Media
- H-460.978, Communication Among the Research Community, the Media and the Public
- H-445.995, Responses to News Reports and Articles

It also cites ethics Opinions regarding physicians’ responsibilities to report unethical conduct:

- E-9.031, Reporting Impaired, Incompetent, or Unethical Colleagues
- E-9.04, Discipline and Medicine

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However, the resolution overlooks several other ethics Opinions relevant to its core concerns:

• E-5.027, Use of Health-Related Online Sites
• E-8.063, Sale of Health-Related Products
• E-8.03, Conflict of Interest: Guidelines
• E-2.07, Clinical Investigation (at [9])
• E-5.02, Advertising and Publicity
• E-5.015, Direct-to-Consumer Advertisements of Prescription Drugs
• E-8.045, Direct-to-Consumer Diagnostic Imaging Tests

After a thorough review of the literature and of current policies CEJA has concluded that the appropriate response would require developing new guidance regarding the more inclusive topic of physicians’ ethical responsibilities in educating the public about health-related topics. To ensure sufficient opportunity to adequately explore these far-reaching issues with other interested parties, CEJA will continue its deliberations and submit its final report at the 2016 Interim Meeting.