

Breaking New Ground: Mitigating Sexual Misconduct Through Legislation, Regulation, and Education

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Introduction and Background

- Atlanta Journal-Constitution publishes investigative series: Doctors & Sex Abuse
 - Published between July 6, 2016, through April 26, 2018.
 - Example title: “License to Betray: A Broken System Forgives Doctors in Every State.”
 - https://doctors.ajc.com/table_of_contents/
- Federation State Medical Boards (Patricia King, M.D., Chair)
 - Created May 2017 – Adopted report May 2020
 - Workgroup on Physician Sexual Misconduct
 - <https://www.fsmb.org/siteassets/advocacy/policies/report-of-workgroup-on-sexual-misconduct-adopted-version.pdf>
- Georgia legislature (with Alex Gross, M.D.)
 - Drafted Feb 11, 2021; passed Mar 29, 2021; signed May 10, 2021; effective July 1, 2021
 - Combined efforts of GCMB members and Rep. Sharon Cooper
 - <https://www.legis.ga.gov/legislation/59653>

Requirements of Georgia 2021 HB 458/AP

| Constituent | Required Content |
|---|--|
| Board members | <ul style="list-style-type: none">• Sexual misconduct• Sexual boundaries• Impacts of trauma and implicit bias |
| Physicians | <ul style="list-style-type: none">• Sexual misconduct• Professional boundaries• How to proceed with basic and sensitive/intimate exams, including how to communicate with patients during such exams |
| In addition, the board shall develop and identify educational resources and materials for physicians, board members, and board staff to support greater understanding of sexual misconduct, sexual boundaries, and impacts of trauma and implicit bias. | |

Responding to the call for education

Existing course: “PBI Navigating Professional Boundaries in Health Care” (DR-2)

- 2 hours on-demand
- Written content
- Interactive graphics
- Hyperlinks
- Knowledge checks
- Vignettes
- Final exam

PBI Navigating Professional Boundaries in Health Care (DR-2)

Ch 1: PBI's Four Laws®

Ch 2: Understanding professional boundaries

Ch 3: Regulation and professional discipline

Ch 4: How good clinicians get in trouble

Ch 5: Protecting patients, yourself, and your career

Ch 6: The Boundary Formula®

Ch 7: Your Personalized Protection Plan®

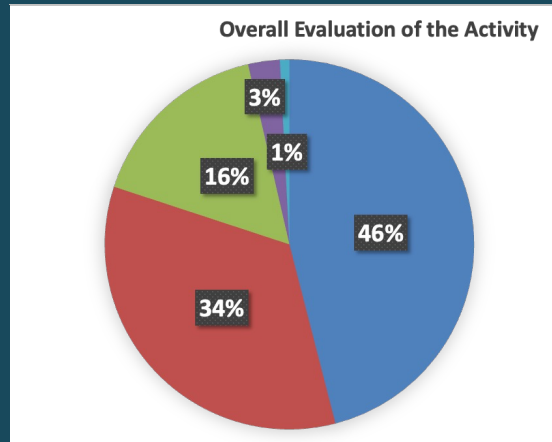
Final Exam

Revisions to comply with the law

- Chapter Four: How Good Clinicians Get in Trouble
 - Implicit bias
 - Sexual harassment and misconduct
 - Duty to report
- Chapter Six: Special Topics
 - Anger and incivility
 - Trauma-informed care and examinations
 - Trauma-informed interaction
 - Human trafficking

Georgia evaluation data

- January 1, 2022 - March 7, 2025
- n = 2055
- 46% excellent
- 34% very good
- 16% good
- 3% fair
- 1% poor



Summary

- **Pre and Post Law Data**
 - Difficult to draw conclusions from data based on current collection methods
 - Of investigations opened, largest category are allegations of overprescribing (26%), then unprofessional conduct (21%), and 6th place sexual misconduct (7%)
- **Compliance with mandated CME**
 - Over 49,000 physicians licensed in Georgia
 - About 2,000 have taken PBI's course
 - Only 85 have completed and requested credit for Medical Association of Georgia CME
- **Anecdotes:**
 - The Board member education has improved the Board's knowledge base
 - The Board seems to be more contemplative about PSM discipline
 - License holders are more aware of the issues
- **Future directions:**
 - Gathering more robust data
 - Auditing of mandated CME
 - Using Georgia's experience to aid any other FSMB member organization

Thank you!

Questions?

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