Regular Session, 2014

HOUSE CONCURRENT RESOLUTION NO. 178

BY REPRESENTATIVE HUNTER

PHYSICIANS: Requests the Department of Health and Hospitals to study the desirability of a prospective state policy on the practice of medicine by late-career practitioners

1	A CONCURRENT RESOLUTION
2	To urge and request the Department of Health and Hospitals to study the desirability of a
3	prospective state policy on the practice of medicine by late-career practitioners.
4	WHEREAS, a fifth of the nation's physicians are over sixty-five and that proportion
5	is expected to rise; and
6	WHEREAS, due to the recent economic downturn, as doctors in the baby boom
7	generation reach sixty-five, some of those doctors may face increasing financial pressures
8	that make them reluctant to retire; and
9	WHEREAS, many doctors retain their skills and sharpness of mind into their
10	seventies and beyond; however, some may be affected by dementia, Parkinson's disease,
11	stroke, and other ills commonly associated with aging; and
12	WHEREAS, an age-related complication may not be addressed until a state medical
13	board has found it necessary to discipline an aging physician; and
14	WHEREAS, a 2005 study published in the American Journal of Medicine found that
15	the rate of disciplinary action was over six percent for doctors out of medical school for at
16	least forty years, compared with approximately one percent for those out only ten years; and
17	WHEREAS, in 2006, a study published in the Annals of Surgery found that in
18	complicated operations, patients' mortality rates were higher when the surgeon was sixty or
19	older, though there was no difference between younger and older doctors in routine
20	operations; and

HLS 14RS-2817

1 WHEREAS, in a policy statement posted online in June 2009, the American College 2 of Emergency Physicians observed that thirty percent of its membership was aged fifty years 3 or older and urged the adoption of appropriate workload modifications, including 4 minimizing rotating shifts, moving older physicians off nightshifts, scheduling additional 5 recovery time after nightshifts, shortening shifts to eight to ten hours or less, and 6 encouraging physicians to transition from clinical to administrative work; and

WHEREAS, it may be necessary for both patient safety and physician well-being to
establish a state policy regarding limits on the practice of medicine by late-career
practioners; and

WHEREAS, the policy may include a mandatory retirement age for physicians,
periodic recertification requirements, or a process by which late-career physicians'
performance and capacities can be fairly and accurately evaluated; and

WHEREAS, such an evaluation may include a peer assessment of the practitioner's
clinical performance, a comprehensive history and physical exam, a cognitive screening, or
any combination of these.

16 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 17 urge and request the Department of Health and Hospitals to study the desirability of a 18 prospective state policy regarding the practice of medicine by late-career practitioners.

BE IT FURTHER RESOLVED that in conducting the study, the department shall solicit the input, recommendations, and advice of the Louisiana State Board of Medical Examiners and the Louisiana State Medical Society, and any other group or organization with an interest in the practice of medicine by late-career practitioners.

BE IT FURTHER RESOLVED that the department shall submit a written report of its findings and conclusions, including any recommendations for legislation relative to the issue, to the House and Senate committees on health and welfare and each member of the legislature on or before December 31, 2014.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
 secretary of the Department of Health and Hospitals.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hunter

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Requests the Dept. of Health and Hospitals to study the desirability of a prospective state policy on the practice of medicine by late-career practitioners and report its findings to the Legislature by Dec. 31, 2014.