

*Ranking of Serious Doctor  
Disciplinary Actions by State  
Medical Licensing Boards --  
1993*

*Sidney M. Wolfe, M.D.  
Public Citizen's Health Research Group*

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## **Public Citizen Ranking of Serious Doctor Disciplinary Actions by State Medical Licensing Boards--1993**

The Federation of State Licensing Boards has released its 1993 data on disciplinary actions against doctors in a format consistent with the data released for 1991 and 1992. Prior to that time, Public Citizen's Health Research Group defined the number of "serious actions" as including only license revocations, suspensions and probations. However, the state boards expanded "serious actions" to also include surrender of license, loss of privileges of license, and limitations or restrictions of license or privileges and Health Research Group followed this format, as it does this year.

The total number of serious state disciplinary actions against physicians increased 10.9% percent from 1,974 reported for 1992 to 2,190 reported for 1993.

Public Citizen calculates the rate of serious actions per 1,000 physicians for each state by taking the number of "serious actions" as reported by the Federation and dividing by the number of non-federal physicians in that state in 1992 as reported by the AMA. The result, in all cases a decimal fraction far smaller than 1, is then multiplied by 1,000 to get the rate per 1,000 physicians. In the accompanying table, states are ranked in order from highest rate of disciplinary actions to lowest. A difference greater than 15-fold exists between West Virginia, the state with the highest rate (9.95 serious action per 1000 physicians), and Nebraska with the lowest, other than 0, (0.63 per 1000).

If all states seriously disciplined physicians at the rate done by the West Virginia Board, 9.95 serious actions per 1,000 physicians, there would have been 6,203 disciplinary actions instead of 2,190 in 1993. In other words over 4000 (4013) more doctors would have been seriously disciplined in the United States in 1993 if all states had done as good a job as West Virginia, even though that state could do a better job if it had more resources.

### **The Good News**

Eight of the top 10 finishers in the 1993 ranking (West Virginia, Oklahoma, North Dakota, Iowa, Colorado, Alaska, Mississippi and Georgia, also were in the top 10 in 1992. West Virginia, third in 1992, finished first in 1993. Others were: Oklahoma, 2nd (1st in 1992), North Dakota, 3rd (5th in 1992), Iowa, 5th (2nd in 1992), Colorado, 6th (8th in 1992), Alaska, 8th (7th in 1992), Mississippi, 9th, (6th in 1992), and Georgia, 10th (9th in 1992). Georgia and Oklahoma have finished in the top 10 for nine consecutive years. Newcomers to the top 10 this year compared to 1992 are Kentucky, 4th place, and Indiana, 7th place.

Four states improved their ranking by 10 or more places from 1992 to 1993. These included Kentucky, moving from 16th to 4th, South Dakota, moving from 32nd to 13th, New Jersey, moving from 28th to 18th, and California, moving from 42nd to 32nd.

### **The Bad News**

In contrast to 1992 in which no states reported 0 serious actions, in 1993 the District of Columbia, with 4,168 licensed non-federal physicians, reported none. On the lower end of the list there are seven jurisdictions that finished in the bottom 10 in both 1992 and 1993. These are the District of Columbia, Pennsylvania, New Hampshire, Hawaii, Massachusetts, Tennessee and Delaware. Of these, the District of Columbia, Pennsylvania, New Hampshire and Massachusetts were also in the bottom 10 in 1991.

Newcomers to the bottom 10 compared to 1992 were Rhode Island, New Mexico and Nebraska which finished 42nd, 49th, and 50th respectively in 1993. New Hampshire, Pennsylvania, and the District of Columbia have been ranked in the bottom 20 for nine, eight, and six consecutive years respectively.

States that fell 10 or more places from 1992 to 1993 include Wyoming, (4th to 21st), Kansas (20th to tie for 37th and 38th), Idaho (23rd to tie for 37th and 38th) and Nebraska (38th to 50th). It should be pointed out that all four of these states had small numbers of disciplinary actions in both years.

### **Conclusions**

1. Although there has been some improvement, most states have a long way to go before they are even beginning to seriously protect their residents from doctors who are incompetent, sexually abuse patients or otherwise have serious problems which interfere with delivering high quality medical care in a compassionate way. Given that national projections of Harvard's study of deaths in New York hospitals showed 80,000 deaths a year caused by negligence, mainly by physicians, the number of serious disciplinary actions in 1993--2190--is a dangerously small drop in the bucket of adequate, consumer-protective doctor discipline. Thus, all states, especially those with worse records, need to strengthen the structure and function of their state boards.

2. The main Federal legislative focus on medical malpractice--injury and deaths of patients caused by doctor negligence--has been victim punishment instead of perpetrator discipline. Legislative efforts to limit victim compensation abound in most of the pending national health insurance legislation. Scant, if any, attention is given to requiring states to significantly improve the discipline of physicians in order to prevent malpractice from occurring.

For further information, call Sidney M. Wolfe, M.D., 202 833-3000.

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Public Citizen Ranking of Serious Doctor Disciplinary Actions  
By State Medical Licensing Boards -- 1993

Rank 1993	Rank 1992	Rank 1991	State	Number of Serious Actions 1993	Number of Nonfederal MDs 1992	Serious Actions Per 1000 MDs 1993
1	3	8	West Virginia	35	3517	9.95
2	1	2	Oklahoma	43	5274	8.15
3	5	13	North Dakota	10	1260	7.94
4	16	5	Kentucky	56	7175	7.80
5	2	3	Iowa	38	4890	7.77
6	8	17	Colorado	57	8189	6.96
7	14	15	Indiana	68	10149	6.70
8	7	1	Alaska	5	797	6.27
9	6	6	Mississippi	24	3846	6.24
10	9	4	Georgia	80	12849	6.23
11	12	7	Louisiana	56	9093	6.16
12	13	12	Missouri	70	11460	6.11
13	32	50/51	South Dakota	7	1184	5.91
14	10	19	Montana	9	1546	5.82
15	11	11	South Carolina	38	6689	5.68
16	22	22	Arizona	46	8687	5.30
17	15	10	Vermont	8	1707	4.69
18	28	20	New Jersey	101	21975	4.60
19	27	42/43	Maryland	79	17977	4.39
20	25	26	Nevada	9	2117	4.25
21	4	9	Wyoming	3	725	4.14
22/23	24	14	Oregon	29	7094	4.09
22/23	19	23	Ohio	101	24708	4.09
24	17	24	Washington	45	12449	3.61
25	21	27	Florida	120	33802	3.55
26	18	29	Arkansas	15	4232	3.54
27	26	34/35	Wisconsin	36	10701	3.36
28	29	21	Texas	111	33846	3.28
29	30	31	Alabama	23	7435	3.09
30	37	32	Virginia	45	14638	3.07
31	36	36	Illinois	85	28467	2.99
32	42	37	California	245	82254	2.98
33	31	28	Minnesota	33	11299	2.92
34	39	49	New York	181	64927	2.79
35	40	40	Michigan	54	19810	2.73
36	35	30	Connecticut	30	11335	2.65
37/38	20	25	Kansas	13	5057	2.57
37/38	23	34/35	Idaho	4	1556	2.57
39	43	18	Utah	9	3678	2.45
40	34	42/43	North Carolina	34	14665	2.32
41	44	46	Maine	6	2678	2.24
42	41	50/51	Rhode Island	6	2926	2.05
43	51	16	Delaware	3	1549	1.94
44	49	38	Tennessee	21	11209	1.87
45	46	48	Massachusetts	42	22746	1.85
46	50	41	Hawaii	5	3051	1.64
47	47	44	New Hampshire	4	2625	1.52
48	48	47	Pennsylvania	42	32828	1.28
49	33	33	New Mexico	4	3340	1.20
50	38	39	Nebraska	2	3199	0.63
51	45	45	District of C.	0	4168	0.00
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