Title: Medical board opinion on practice drift

Date Approved by Medical Board: August 11, 2023

Date Reviewed: March 19, 2024

Purpose: Provide guidance to licensees on the board's expectation of obtaining appropriate training and experience before expanding their practice to areas outside or their initial training

Approved by: Medical Board endorsed the statement on this issue by FSMB

Position Statement on Practice Drift
Adopted as policy by the Federation of State Medical Boards
April 2016

When a physician is granted a license by a state medical board in the United States, the physician is given the privilege of practicing the full breadth of medicine. This general undifferentiated license provides physicians with broad discretion to expand, narrow, or alter their areas of practice as they see fit. While many physicians spend their entire careers practicing in the area in which they completed formal medical training, others decide to expand or shift their practice to additional areas beyond their recognized specialty.

In considering changing or expanding their areas of practice, physicians have a professional and ethical duty to put their patients' best interests before their own and only offer treatments to patients that they are able to provide competently.

In recent times, various economic and lifestyle pressures have led to an increase in the rate at which physicians are seeking to change or expand their areas of practice.[1] This can be seen as a positive development for both physicians and the patients they treat: competently meeting patient health needs is an important way in which physicians fulfill their duty of beneficence to patients. Expanding one's area of practice can provide opportunities for alternate specializations to meet patient demands, as well as options for ensuring or increasing career satisfaction. For patients, flexibility in terms of the areas of practice of physicians can provide greater assurances that they will have access to medical care when needs arise.

1 St. Peter, et al., Changes in the Scope of Care Provided by Primary Care Physicians, *N Engl J Med* 1999;341:1980-1985

However, changes in physicians' areas of practice may also present risks to patients in circumstances where a physician is not appropriately trained to provide the treatments that fall within their newly chosen area of practice. As such, it is incumbent upon physicians to ensure that they are able to demonstrate competence in their selected area of practice and that they only provide treatments to patients for which they have received adequate and appropriate training. This will often involve seeking additional training by attending educational programs. Physicians are encouraged to seek information about the quality of any such programs by researching their accreditation status and the nature of any oversight involved.

Additional training sought need not always be limited to formal medical training offered through academic medical centers or continuing medical education providers, but can also include observation of procedures performed by recognized experts, followed by provision of these same procedures under the supervision of a qualified physician. Once a physician has taken the appropriate steps to be able to demonstrate competence in an area outside of their recognized area of practice, it is recommended that

the physician determine whether their medical liability insurance adequately covers them in the performance of any new procedures.

Fundamental to the concept of professional self-regulation is the development of principles of medical ethics and the enforcement of professional expectations and standards by the medical profession itself. Hospital administrators should therefore be diligent in monitoring the areas of practice of physicians at the time of reappointment to ensure that adequate training has been received for procedures listed. Where feasible, state medical boards can also monitor physicians' insurance billing patterns and medical records to determine whether practice areas have shifted to include non-traditional procedures for given specialties, or whether harms may have resulted from the performance of procedures in the absence of adequate qualifications or training.

It is also essential that patients only seek medical treatment from physicians who are qualified to provide the medical care that they need. Patients should therefore seek information about prospective physicians, including the level of experience they have with particular procedures, their education (especially graduate medical education), and any board certifications held. Patients are encouraged to ask their physicians about their qualifications for performing particular procedures and also to consult pracphysicians' education, board certifications, and any disciplinary actions taken against a physician's license.

A related responsibility exists on the part of physicians to clearly inform patients regarding their training and credentials to perform specific procedures or services. Physicians should also be prepared to provide information about their qualifications and any additional training undertaken that has prepared them to provide treatment that falls outside of their original area of practice and should provide this information to patients as part of the informed consent process.

While licenses granted by state medical boards allow licensees to practice the full breadth of medicine and surgery, boards are nonetheless responsible for ensuring that licensees can practice competently within their chosen area of practice. In fulfilling this responsibility, state medical boards are encouraged to collect information about licensees' areas of practice as part of the license renewal process. This may increase their ability to protect patients within their jurisdictions in the event that issues with a licensee's area of practice arises. The FSMB has provided recommendations for categories of information to collect, as well as possible formatting of questions, in its *Report on a Recommended Framework for a Minimal Physician Data Set.*