

MICHIGAN STATE MEDICAL SOCIETY

Resolution X-21

Authored by: Evelyn Eccles, MD of the Washtenaw County Medical Society;
Introduced by: TBD;
Subject: Disposition of Complaints to MSMS or County Societies
Referred to: MSMS Reference Committee
(Leave Blank, Chair)

Whereas MSMS and/or county societies have a duty to investigate complaints brought against one of their members involving ethical or professional behavior; and

Whereas in the event that such a complaint is brought, component societies will initiate such investigation with the understanding that should legal advice be needed, they will have the support of MSMS legal counsel, and that their decisions may be reviewed by the MSMS Judicial Committee; and

Whereas MSMS and/or county societies do not have a duty to investigate or adjudicate complaints that do not involve one or more of its members, and such complaints if they involve a physician who is not a member of MSMS or county society should be referred to LARA for disposition; and

Whereas in the event that a complaint is brought against a member but the complaint is unrelated to and does not involve any aspect of that member's medical practice, it should not be referred for disposition by MSMS to the county society in which the alleged activity occurred, but should be dismissed by MSMS; and

Whereas referral by MSMS of a complaint to the county society for disposition when the dispute does not involve a county society member or is not related to medical practice or patient care, places an unnecessary expectation, administrative, and financial burden on that county society; therefore be it

Resolved MSMS shall provide legal counsel and knowledgeable staff to the county societies whenever a complaint is received involving a physician member in said county related to medical practice and/or medical ethics.