

**Letter to Members from Dr. Bombaugh on BORIM approved revisions to the regulations governing physician licensure and the practice of medicine**

Dear MMS Members,

The Board of Registration in Medicine (BORIM) recently approved revisions to the regulations governing physician licensure and the practice of medicine that took effect on August 9, 2019. For an official Board summary of the regulations, [click here](http://newsletters.massmed.org/link.cfm?r=nfvP1FomAoSVjS9yldmyKw~~&pe=JlVrM5r8x7Lgpq2TtCe1hbf-W4j34uFEomaGcmcL6V64B4aDlKMqSV-giJsdICDwb-86djRjHPDrUTCe82zROw~~&t=INSERT_TRACKING_ENCID), or for a full version of the new regulations at 243 CMR 2.00, [click here](http://newsletters.massmed.org/link.cfm?r=nfvP1FomAoSVjS9yldmyKw~~&pe=B7rtCpYwnqGlrV1L8YC1w1ZKSBLphHQErDIo3U7xHU5f6hjgsWrZdQpJtHDAV_m1eKgXq_iuaZGLLM2nMx1D6A~~&t=INSERT_TRACKING_ENCID).

Despite our feedback, the changes passed by the Board include a requirement for the attending physician to obtain and record a patient’s ***written*** informed consent before any diagnostic, therapeutic, or invasive procedures, and medical interventions or treatments when disclosure of significant medical information would assist the patient in making an informed decision whether to undergo the proposed procedure, intervention, or treatment.

Another change in the newly revised regulations is a ban on delegating medical services to individuals who are not licensed to perform those services. Additionally, new requirements entail listing everyone who will participate in a surgical procedure and noting in the medical record when the attending was absent from the procedure, if at all. Further, there is now a requirement of new applicants for licensure to report to the Board all malpractice and criminal cases in which they were named as a defendant.

**The Medical Society opposed the language of the aforementioned provisions during the initial rulemaking process in 2017**. MMS raised critical questions relative to many of the changes in the new regulations and continues today to advocate for more practicable solutions to the underlying issues identified as prompting a need for change.

MMS values the experience and perspectives of our members and encourages members to submit feedback and questions relative to the newly adopted regulations. MMS will directly incorporate that feedback and share it with BORIM as part of MMS’ ongoing dialogue with the Board. Please send all comments or questions to MMS government relations advisor Casey Rojas at [crojas@mms.org](mailto:crojas@mms.org). Alternatively, you may engage the Board directly by contacting BORIM at [borim.info@state.ma.us](http://newsletters.massmed.org/link.cfm?r=nfvP1FomAoSVjS9yldmyKw~~&pe=T8z9EBAn1VMAUKagBq_mbNnnAZB6z9fwhmEL5snO_1ax5wCcYdkbSHuPb2VMG9rN1MSNS71x1a7galOQQbPEfA~~&t=INSERT_TRACKING_ENCID).

- Maryanne Bombaugh, MD, MSc, MBA, FACOG  
  President, Massachusetts Medical Society