

# Issue brief: Maintenance of Certification laws and legislation

## AMA policy

### H-275.924, AMA Principles on Maintenance of Certification

15. The MOC program should not be a mandated requirement for licensure, credentialing, recredentialing, privileging, reimbursement, network participation, employment, or insurance panel participation.

### Maintenance of Certification and Osteopathic Continuous Certification D-275.954

34. Through legislative, regulatory, or collaborative efforts, will work with interested state medical societies and other interested parties by creating model state legislation<sup>1</sup> and model medical staff bylaws while advocating that Maintenance of Certification not be a requirement for: (a) medical staff membership, privileging, credentialing, or re-credentialing; (b) insurance panel participation; or (c) state medical licensure.

**Key:** P = Proposed 2018 legislation. X = Law.

State	Licensing boards	Insurers	Hospitals	Notes
Alabama				
Alaska	P	P	P	SJR 62 (2018) called on ABMS to honor its commitment to reduce the burden and cost of MOC.
Arizona (2016)	X			ARS 32-1439
Arkansas				
California			P	
Colorado				
Connecticut				
D.C.				
Delaware				
Florida	P	P	P	
Georgia (2017)	X	X*	X*	OCGA 43-34-46. The law also includes liability insurers.
Hawaii				
Idaho				
Illinois				
Indiana	P	P	P	
Iowa	P	P	P	
Kansas				
Kentucky (2016)	X			KRS 311.566
Louisiana				
Maine (2017)	X			32 MRSA 2851 and 3271
Maryland (2017)	X			ACM 14-322
Massachusetts	P	P	P	

<sup>1</sup> Please contact Kristin Schleiter, [Kristin.schleiter@ama-assn.org](mailto:Kristin.schleiter@ama-assn.org), for the AMA Right to Treat Act.

State	Licensing boards	Insurers	Hospitals	Notes
Michigan	P	P		
Minnesota				
Mississippi				
Missouri (2016)	X	P	P	RSMo 334.285 Proposed legislation also requires insurers and hospitals to accept CME/ recertification by NBPAS as MOC.
Montana				
Nebraska				
Nevada				
New Hampshire	P	P	P	HB 1769 (2018) will likely be referred to interim study.
New Jersey	P	P	P	
New Mexico				
New York		P	P	
North Carolina				
North Dakota				
Ohio	P	P	P	
Oklahoma (2016)	X	X*	X*	59 OS 2011 Section 492
Oregon				
Pennsylvania				
Rhode Island	P	P	P	Proposed legislation also prohibits MOL
South Carolina (2018)	X	X*	X*	Code of Laws of SC, Section 40-47-38
South Dakota				
Tennessee (2017, 2018)	X	X	X	TCA 33-2-4; TCA 63-6-2; TCA 63-9; TCA 68-11-2; TCA 56-7-10  Prohibits a physician from being denied staff privileges or employment, or from being denied reimbursement or being prevented from participating in insurance provider networks, based solely on the physician's decision not to participate in any form of MOL/MOC.
Texas (2017)	X	X	X	Law exempts certain health care facilities and defers in some instances to the judgment of the hospital medical staff.  Insurance Code F(8) Chapter 1461; Occupations Code B 151.0515, 155.003, and 156.001
Utah	X	P	P	Utah Code 58-67-302(5)(a) prohibits the DOPL from requiring post-residency board certification for licensure.
Vermont				
Virginia	P	P	P	
Washington (2018)	X			RCW 18.71.010
West Virginia				
Wisconsin	P		P	
Wyoming				
TOTAL	11	5	5	

\*Legislation incorporated in medical practice act; may not apply to insurers and hospitals.

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