Troy and Alana Pack Patient Safety Act

Tuesday, April 1, 2014

Sharon Levine, M.D.
President, Medical Board of California
2005 Evergreen St., Ste. 1200
Sacramento, CA 95815

Dear Dr. Levine:

A few days ago the Medical Board acknowledged that, right now, 1-2% of California doctors are addicted to drugs or alcohol and need treatment. (See the NBC News Bay Area story: http://www.nbcbayarea.com/video/#!/on-air/as-seen-on/Reality-Check--Patient-Safety-Act/252992811) That means that approximately 2,000 California doctors have an active drug or alcohol addiction today, by your own count.

Most Californians would undoubtedly believe that thousands of drunk or high doctors pose a serious threat to public health and safety.

In the interest of patient safety we ask you to: Immediately disclose the names of the 2,000 physicians in California with a drug or alcohol problem, and if they are currently practicing; identify what the Medical Board is doing to protect their patients from harm; and, release any internal studies or reports you have used to determine the number of physicians with addiction problems.

A review of public reports of physician disciplinary actions on the Medical Board's website reveals that, since 2008, just 149 doctors were disciplined for self-use of drugs or alcohol, 104 for DUIs and 27 for being under the influence at work.

It is hard to believe your assurances that the Medical Board takes substance abuse seriously when, over six years, you disciplined only a small fraction of the 2,000 doctors with an addiction problem at any given time.

The problem of doctor drug and alcohol abuse is clearly much larger than any public action the Board has taken to prevent it. Random drug testing is standard in other safety-sensitive professions, including airline pilots, bus drivers and train engineers. Physicians also hold lives in their hands. The Medical Board should join U.S. Department of Health and Human Services Inspector General Daniel Levinson, who called for random physician drug testing in a *New York Times* opinion piece last month.

The Medical Board's sorry record of disciplining doctor addicts is particularly troubling considering the blatant disdain with which the physician lobby treats this serious threat to public health and safety. In a radio interview on 89.3 KPPC last week Benjamin Fenton, representing physicians, suggested that doctors' exalted status in society somehow places them above drug testing:

"The idea that there needs to be testing of physicians is just ridiculous…Doctors need to be held in some level of esteem, they do such significant training, they play such an important role in our society, and the idea that we want to subject all doctors to drug testing just because this gentleman can point to one or two cases where something may have happened I think is really unfortunate. I think there has to be a sense that these doctors are sacrificing their lives."

Fenton and the medical lobby are paid to protect doctors, but the Medical Board of California is charged by law with protecting consumers from doctors who would place their patients in harm's way. Clearly, few doctors are more dangerous than those who abuse drugs and alcohol on the job. The public deserves to know what you are doing in response.

Sincerely,

Bob Pack

Carmen Balber