**Goal:** To ensure that the context of continuing medical education activities requesting credit for ethics and/or professional responsibility is aligned with Texas Medical Board (TMB) requirements for ethics and professional responsibility/pain management CME credit and the American Medical Association (AMA) Principles of Medical Ethics.

# The UTHSA Office of CME will use the TMB requirements and AMA Principles as guidelines in reviewing and approving CME activities for ethics and/or professional responsibility credit. They are as follows:

# TMB Requirements (From TMB Rule 166.2; effective September 2020)

### §166.2. Continuing Medical Education.

As a prerequisite for physician registration, practitioners are required to complete continuing medical education.  Current requirements for physicians are summarized below. If you would like to review the current rule, these requirements are currently listed Board rule 166.2 available on our website at: [http://www.tmb.state.tx.us/page/board-rules](https://www.tmb.state.tx.us/page/board-rules)

Physicians need to complete at least 48 credits of continuing medical education every 24 months (24 month timeline is in relation to the biennial registration period, not the calendar year). At least half of these hours must be in formal, category I or 1A courses. A physician must report during registration if she or he has completed the required CME.  However, newly licensed physicians are exempt from the CME requirement the first time they register.

**Documentation of CE courses shall be made available to the Board upon request, but should not be submitted with the registration. Random audits will be made to assure compliance.**

**Physician CME Requirements (per biennium)**

**24 Formal Category 1 or 1A hours:**

* courses designated for AMA/PRA Category 1 credit by a CME sponsor accredited by ACCME (Accreditation Council for CME) or state medical society recognized by ACCME;
* approved for credit by American Academy of Family Physicians;
* designated for AOA Category 1-A credit; or
* approved by TMA based on standards established by AMA for its Physician's Recognition Award.

 **Medical Ethics and/or Professional Responsibility**

* **At least 2 of the 24 formal hours must involve the study of medical ethics and/or professional responsibility.** Professional responsibility includes but is not limited to courses in: Risk management, Domestic Abuse; or Child Abuse. Formal courses must be approved for ethics or professional responsibility credit by the accrediting agency.
* Please note that during the October 14, 2016 Full Board meeting, agenda item – **“9.  Discussion, recommendation, and possible action regarding Board approval of CME for medical ethics “was considered.**  After discussion, the Board approved to eliminate the process for board approval of CME for medical ethics. **This DID NOT eliminate the requirement for the 2 formal hours in medical ethics and/or personal development listed above.  This change eliminated only the process for TMB ethics designation of courses.  Those courses previously designated by the TMB for ethics credit were accepted through the expiration date of their approval.**  Board meeting minutes are available for review in the [Publications](http://www.tmb.state.tx.us/docs/docs) section of our website, located under “Agency” by Board and date of meeting

 **Pain Management and the Prescription of Opioids**

* **At least 2 of the 24 formal hours must involve the study of the following topics:**
* **best practices, alternative treatment options, and multi-modal approaches to pain management** that may include physical therapy, psychotherapy, and other treatments;
* **safe and effective pain management related to the prescription of opioids and other controlled substances, including education regarding:**
* standards of care;
* identification of drug-seeking behavior in patients; and
* effectively communicating with patients regarding the prescription of an opioid or other controlled substances; and
* **prescribing and monitoring of controlled substances.**
* **These formal hours maybe credited towards**
* **the requirements for medical ethics or professional responsibility for any physician, or**
* **the 10 hours of pain management continuing education required for those physicians practicing in pain clinics (see info below under “Additional Requirements”.**
* **This requirement applies to the renewal of a license on or after September 1, 2020.**

 **Human Trafficking**

* **As part of the 24 formal hrs required, a course in human trafficking prevention must be completed.**

**•**The course must be approved by HHSC, and

**•**The course maybe credited towards the requirements for medical ethics or professional responsibility for any physician.

* See HHSC's [Health Care Practitioner Human Trafficking Training page](https://hhs.texas.gov/services/safety/texas-human-trafficking-resource-center/health-care-practitioner-human-trafficking-training) to access the free course that satisfies these requirements, and for more information about this requirement.
* **This requirement applies to the renewal of a license on or after September 1, 2020.**

**24 Informal Hours:**

* Composed of informal self-study, attendance at hospital lectures
* or grand rounds not approved for formal CME or case conferences and shall be recorded in a manner easily transmitted to the board.

There is a maximum of 48 total excess credit hours that may be carried forward and a limit of two years from the date of the registration following the period during which the hours were earned. Excess hours are applied/reported according to their Category.

 **Formal hrs in the following categories may NOT be carried forward at this time, and must be acquired each biennium:**

* Medical Ethics and/or Professional Responsibility, and
* Pain Management and the Prescription of Opioids

**AMA PRINCIPLES OF MEDICAL ETHICS**[](#bookmark0)(Adopted by the AMA's House of Delegates June 17, 2001)

*Preamble*

The medical profession has long subscribed to a body of ethical statements developed primarily for the benefit of the patient. As a member of this profession, a physician must recognize responsibility to patients first and foremost, as well as to society, to other health professionals, and to self. The following Principles adopted by the American Medical Association are not laws, but standards of conduct that define the essentials of honorable behavior for the physician.

*Principles of medical ethics*

1. A physician shall be dedicated to providing competent medical care, with compassion and respect for human dignity and rights.
2. A physician shall uphold the standards of professionalism, be honest in all professional interactions, and strive to report physicians deficient in character or competence, or engaging in fraud or deception, to appropriate entities.
3. A physician shall respect the law and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient.
4. A physician shall respect the rights of patients, colleagues, and other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.
5. A physician shall continue to study, apply, and advance scientific knowledge, maintain a commitment to medical education, make relevant information available to patients, colleagues, and the public, obtain consultation, and use the talents of other health professionals when indicated.
6. A physician shall, in the provision of appropriate patient care, except in emergencies, be free to choose whom to serve, with whom to associate, and the environment in which to provide medical care.
7. A physician shall recognize a responsibility to participate in activities contributing to the improvement of the community and the betterment of public health.
8. A physician shall, while caring for a patient, regard responsibility to the patient as paramount.
9. A physician shall support access to medical care for all people.
* Revised June 2001.

**Mechanisms for CME Ethics Credit Approval:**

1. **Request for ethics and/or professional responsibility credit:** Ethics and/or professional responsibility/pain management credit can be requested for any activity of a CME program that is being approved or has already been approved for credit. For example, individual presentations within a CME approved grand rounds series or conference can be approved for ethics and/or professional responsibility credit.
2. **Submission of CME Activity Content:** CME activity content (educational objectives, Power Point slides and/or handouts) should be submitted to the Office of CME for review 30 days prior to the presentation. Submission after this time may not provide sufficient time for review and approval. The CME staff will provide an administrative review of materials prior to forwarding to an expert content reviewer.
3. **Review by CME ethics and/or professional responsibility reviewer**: The activity materials will be forwarded to a CME ethics and/or professional responsibility/pain management reviewer. Subject matter expertise reviewers are noted on the CME Ethicists list for this policy. Other subject matter contents may be needed on occasion and can be designated by the Associate Dean for Quality & Lifelong Learning or Office of CME ethicists.

**Appeals:** Faculty may appeal disapproval of ethics and/or professional responsibility/ pain management credit to the Office of CME in writing. This written appeal should include a justification or submission of other relevant materials that can be forwarded to the reviewer. The decision regarding the appeal by the Associate Dean for Quality & Lifelong Learning will be final.

**Disclosure to Learners:** CME activities approved for ethics and/or professional responsibility/pain management credit will be disclosed to the audience verbally and/or in writing.

**Monitoring:** Faculty and conference planners will receive copies of evaluation summaries and comments.

**Periodic Review:** This policy will be reviewed periodically by the Associate Dean for Quality & Lifelong Learning, the CME Director, and/or the CME Ethicists.