



Federation of State Physician Health Programs, Inc.

Public Policy Statement

Physician Illness, Disability, and Impairment: Differentiation and Responsibility

The purpose of a Physician Health Program (PHP) is to support the early identification of physicians, other licensed health care professionals, or those in training with health conditions that may impair their ability to practice safely, facilitate their rehabilitation, and contribute to quality patient care. PHPs do so compassionately and confidentially as a therapeutic alternative to discipline for the benefit of the individual to protect the public. To prioritize public safety and sustainability of the career and well-being of our essential health professional workforce it is imperative to understand the differentiation between illness, disability, and impairment.

Physician Impairment is the inability to practice medicine with reasonable skill and safety due to a health condition.

Illness or the Presence of a Health Condition Does Not Imply Impairment:

While impairment, by definition, implies the presence of illness, the presence of illness does not imply impairment. Impairment is a dynamic functional state that reflects a continuum along which an illness may impact professional practice. Type of illness, illness severity, type of practice, and adaptation or accommodation to illness are just a few of the variables that may influence the degree of impairment if any, that an illness poses. Similarly, illness does not imply disability which is defined under The Americans with Disabilities Act (ADA) as a physical or mental impairment that limits one or more major life activities. Finally, impairment and disability are not synonymous. A physician may meet the ADA definition for disability and not be considered impaired based solely on the presence of that disability.

Professional Ethical Obligation Met with Early Referral to a PHP:

All healthcare professionals have ethical obligations to identify and address concerns of impairment in themselves and other healthcare professionals. Providers are most effective when they are familiar with available confidential and compassionate resources, including referral to a physician health program, when concerns of impairment or potential impairment arise, and are knowledgeable of applicable and other legal requirements regarding the care of health professionals. (AMA CEJA 9.3.2)

Optimal Outcomes Occur When:

- **A referral to a PHP occurs *prior* to impairment:**
Optimal outcomes for public safety and career sustainability occur when a health care professional directly contacts or is referred to a PHP *prior* to overt impairment.

- **Nonpunitive support is given when time out of practice is needed to address health and well-being:**

A healthcare professional, at times, may be recommended to withdraw from practice during a period of illness exacerbation or impairment. When this occurs, referents, employers, and colleagues can support the health professional by allowing time out of practice that is non-disciplinary to allow for appropriate care to occur with no or minimal impact on the professional's career or license.

- **Timely referral to a PHP is made even when discipline may be co-occurring:**

When employers or other entities need to consider discipline, a simultaneous referral to a PHP supports the healthcare professional in obtaining timely support, appropriate diagnosis, treatment, and monitoring. When these steps occur, and when the healthcare professional complies with recommendations, PHPs can provide confidential support and help mitigate negative consequences that illness may pose to a health professional's career.

Create an Environment with Opportunities to Address Medical Conditions:

Lack of conceptual clarity regarding illness, impairment, and disability can perpetuate stigma and lead to discrimination. Stigma and discrimination can be addressed by affording physicians and other health professionals an opportunity to have their medical conditions treated and monitored rather than face discipline or other adverse professional consequences based solely on having an illness, impairment, or disability.

Differentiate Illness, Impairment, and Disability in Policies:

Employers, credentialing entities, medical regulators, and others involved in the safety of the healthcare workforce should differentiate illness, impairment, and disability in policies and procedures. Such policies recognize that, in most cases, impairment is a transient state that can be safely and effectively managed with appropriate interventions.

Public Policy Recommends approval to the Board July 19, 2022