



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 physicians, other licensed health care professionals, or those in training who are potentially impaired or impaired with health conditions. PHPs do so compassionately and confidentially as a therapeutic alternative to discipline for the benefit of the individual and 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. PHPs are industry experts for early identification of a potential impairment from behavioral health conditions, substance use disorders, or other impairing conditions, including medical conditions or burnout.

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 practice-specific performance requirements. 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. For example, while a physician with a disability meets the ADA definition for disability, they would not be considered impaired based solely on the presence of that disability.

Professional, and Ethical Responsibility

All healthcare professionals have their own professional and ethical obligations to identify and address concerns of impairment, including in other healthcare professionals to whom they provide care. Providers should be familiar with available confidential and compassionate resources when concerns of impairment or potential impairment arise and should also know applicable and other legal requirements in their jurisdiction regarding their care. When a health care professional directly contacts or is referred to a PHP **prior** to overt impairment, the optimal outcome for public safety and career sustainability can occur. A healthcare professional, at times, may be recommended to withdraw from practice during a period of impairment or illness exacerbation. When this occurs, referents, employers, and colleagues can support the health professional by allowing time out of practice that is not disciplinary to allow for appropriate care to occur with no or minimal impact to the professional's career or license. Even when there is cause for an employer to evaluate a disciplinary action, a simultaneous referral to a PHP is best to

support the healthcare professional's needs. When these steps occur, and when the healthcare professional is able to comply with recommendations, a PHP can be utilized to provide confidential support and to effectively mitigate any negative consequences that illness may pose to a health professional's career.

Addressing Stigma and Discrimination

Lack of conceptual clarity regarding illness, impairment, and disability can perpetuate stigma and lead to discrimination. It is the position of the FSPHP that physicians and other health professionals should not suffer discipline or other adverse professional consequences based solely on having an illness, impairment, or disability.

Differentiation of Illness, Impairment and Disability

Employers, credentialing entities, medical regulators, and others involved in the safety of the healthcare workforce should clearly differentiate illness, impairment, and disability in policies and procedures. Such policies should recognize that, in most cases, impairment is a transient state that can be safely and effectively managed with appropriate interventions. The terms illness, impairment and disability should not be used in a manner that perpetuates misunderstanding, bias, or discrimination, particularly with respect to stigmatized illnesses.

Utilization of Physician Health Programs

In most states, a PHP is available for consultation regarding concern for those at risk of impairment from a health condition. They are legally authorized, confidential, therapeutic alternatives to discipline. Employers, healthcare professionals, and those who provide care for safety-sensitive healthcare workers, wellness committees, and well-being programs, should utilize PHPs prior to the illness impacting their ability to practice medicine. Utilizing the expertise of PHPs in this process is the compassionate, caring, and established approach regarding potential or actual impairment.

Approved by FSPHP Public Policy Committee and Board of Directors on April 6, 2022