March 26, 2018

Dan McCoy, MD
President
Blue Cross and Blue Shield of Texas
1001 E. Lookout Drive
Richardson, Texas 75082

Dear Dr. McCoy:

I am writing on behalf of the 51,000-plus physician and medical student members of the Texas Medical Association (TMA), many of whom care for the men, women, and children insured by Blue Cross and Blue Shield of Texas.

We have received numerous complaints from physicians regarding the recent notice they received from Leslie Weisberg, MD, your medical director for Texas managed care, about the addition of board certification as an "indicator for measuring quality" in the BlueCompare for Physicians program. Our member physicians are upset and confused by this poorly worded notice.

As you know, board certification for physicians in many specialties and for most younger physicians is now a never-ending process. It is this connection to maintenance of certification (MOC) that has raised physician ire over Dr. Weisberg's memo. Similarly, it is our belief that the policy the memo announced violates the spirit of Texas' new law on MOC mandates.

Texas physicians strongly believe in initial board certification. This is evidenced by the fact that the overwhelming majority of us are willingly board certified. We believe it *is* an indicator of professional achievement that could be useful for patients in selecting their physicians. MOC is a different story.

As I'm sure you are aware, many physicians object vehemently to the concept of MOC as "an indicator for measuring quality." Many of our physician colleagues say the information studied and tested for recertification has little applicability to their day-to-day practice. MOC lacks sufficient research to document any benefits to patient care; and the existing research finds no difference in outcomes between physicians with time-limited and time-unlimited board certification.

This physician outrage was the driving force behind the passage of Senate Bill 1148 in the 2017 Texas Legislature. The law states that "managed care plan issuers may not differentiate between physicians based on a physician's MOC in regard to paying the physician; reimbursing the physician; or directly or indirectly contracting with a physician to provide services to enrollees."
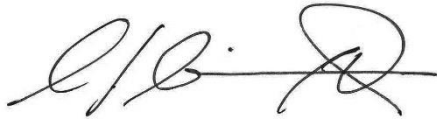
In addition to our strong opposition to using MOC as a quality indicator, our physician members have raised legitimate procedural questions regarding Dr. Weisberg's notice. For example:

- How will BlueCompare "indicate" a physician who holds multiple board certifications but has not recertified in each one?
- How will BlueCompare differentiate between "grandfathered" certifications (time-unlimited), and those that require recertification?
- How will BlueCompare "indicate" a physician who is currently board certified but who is not participating in MOC?

Other than a "clarification" sent from the Blue Cross Twitter account late last Friday night ("Physicians will be recognized for earning board certification. However, physicians who are not board certified are not penalized."), I am aware of no formal notice or follow-up explanation to Texas physicians from Blue Cross.

The Texas Medical Association strongly urges Blue Cross and Blue Shield of Texas to reexamine this issue and avoid telling our patients that MOC is an "indicator for measuring quality." In the alternative, we suggest that any physician who currently holds — or has ever held — professional board certification be eligible for this recognition (unless the certification has been revoked for good cause other than for not meeting MOC requirements). Finally, we extend our longstanding offer to review your communications to Texas physicians before they are sent to provide feedback that would help you avoid the confusion such as was generated by Dr. Weisberg's notice.

Sincerely,

Carlos J. Cardenas, MD
President

Cc: The Honorable Dawn Buckingham, MD, Texas Senate
        James L. Humphreys, MD, chair, TMA Council on Legislation
        John T. Carlo, MD, chair, TMA Council on Socioeconomics
        Leslie Weisberg, MD