

Unannounced Investigators from the Board of Medical Practice

The Vermont Medical Society has learned that investigators from the Board of Medical Practice sometimes arrive unannounced at physicians' offices and request to interview physicians who may or may not be the subject of an investigation. These unscheduled interviews and the accompanying requests for patients' medical records can be disruptive and time-consuming for practices.

While the Vermont Medical Society values the work of the board and encourages physicians to cooperate with disciplinary investigations, physicians and their employees are under no legal obligation to participate in unscheduled meetings with Board of Medical Practice Investigators. Physicians and their staff are entitled to have legal counsel present during interviews.

If an investigator appears unannounced at your office, VMS suggests that you consider contacting your attorney, risk manager and/or malpractice carrier before speaking with the investigator or providing patients' medical records. You may wish to discuss with your attorney and/or risk manager, how to make appropriate arrangements for interviews and how to make arrangements to provide copies of medical records at a convenient time. It may also be an option for you to visit with the members of the Medical Board Investigatory Committee that is handling the investigation. Investigatory Committees consist of at least four board members including a public member.

The Vermont Medical Society supports the work of the Vermont Board of Medical Practice and believes the work of the board helps to ensure professionalism and high quality medical practice in Vermont. At the same time, investigations can be time consuming, stressful, and costly for physician practices, so it is important that physicians who are requested to participate in investigations have appropriate notice and due process protections.

If you have questions or concerns, please contact Paul Harrington pharrington@vtmd.org or Madeleine Mongan mmongan@vtmd.org. They can also be reached at the VMS office at 802-223-7898.