



MASSACHUSETTS MEDICAL SOCIETY

Every physician matters, each patient counts.

**TESTIMONY IN SUPPORT OF
H.2145, AN ACT RELATIVE TO TRUTH IN ADVERTISING and
H.3606/S.1348 AN ACT RELATIVE TO HEALTH CARE TRANSPARENCY
BEFORE THE JOINT COMMITTEE ON PUBLIC HEALTH
SEPTEMBER 21, 2023**

The Massachusetts Medical Society is a professional association of over 25,000 physicians, residents, and medical students across all clinical disciplines, organizations, and practice settings. The Medical Society is committed to advocating on behalf of patients, to give them a better health care system, and on behalf of physicians, to help them provide the best care possible. To that end, the MMS wishes to be recorded in support of H.2145, *An Act Relative to Truth in Advertising*, and H.3606/S.1348, *An Act Relative to Health Care Transparency*.

H.2145 would require any advertisement for health care services that includes the name of a health care practitioner to include the type of licensure issued. H.3606/S.1348 would provide clarity to patients who are seeking care from an orthopedist or other physician by limiting the use of the word "physician" to only those that are licensed by the Board of Registration in Medicine.

There is a wide spectrum of training and expertise among health care professionals. In a clinical setting, it is often impossible for patients to know whether the person providing their care is a physician, nurse, physician assistant, pharmacist, dentist, or dental hygienist. This creates a great deal of confusion for individuals receiving health care. This is a significant patient safety concern.

In 2018, as part of its [Scope of Practice/Truth In Advertising-campaign](#), the American Medical Association (AMA) released results from a survey that confirmed increasing patient confusion regarding the many types of health care providers - including physicians, nurses, physician assistants, technicians, and other varied providers. The survey revealed that 55% of patients believe it is difficult to identify who is a licensed medical doctor and who is not by reading what services they offer, their title and other licensing credentials in advertising or other marketing materials. Additionally, confirming that patients want more transparency regarding the

credentials and qualifications of their health care providers, 88% percent of the respondents believe only medical doctors should be permitted to use the title “physician” and 79% support state legislation to require all health care advertising materials to clearly designate the level of education, skills and training of all health care professionals promoting their services.

While confusion among health care providers is not a new issue, the need for this legislation is growing as an increasing number of non-physician health care providers are granted independent practice and those with doctoral degrees present themselves to patients as doctors. Passage of these bills will help patients make more informed decisions about their health care by ensuring them that the “doctor” caring for them is indeed a physician governed by the Board or Registration in Medicine, or a non-physician health care provider.

In conclusion, the MMS feels strongly that health care providers have an obligation to inform the public of the qualifications and limitations of the persons making important medical diagnoses, pushing medications into an intravenous line, or using a scalpel. H 2145 and H.3606/S.1348, would accomplish that goal and ensure that patients have the necessary information concerning who is providing their health care. The MMS urges the Committee on Public Health to report H.2145 and H.3606/S.1348 out of Committee favorably.