



November 19, 2021

Governor's Regulatory Review Council  
 100 North 15<sup>th</sup> Avenue #305  
 Phoenix, AZ 85007  
[grrccomments@azdoa.gov](mailto:grrccomments@azdoa.gov)

Dear Honorable Members of the Governor's Regulatory Review Council and Legal Staff,

The undersigned organizations represent over 15,000 physicians in our state. We write today in strong and united support of the Arizona Medical Board ("AMB") Notice of Proposed Rulemaking regarding Article 2. Licensure, Section R4-16-201. Application for Licensure by Examination or Endorsement, and R4-16-201.1. Application for Renewal of License. As part of its five-year administrative review, our organizations brought forth to the AMB specific concerns around the questions on Arizona's physician licensure application pertaining to mental health treatment and the unintended consequences they may have on those seeking to practice medicine in Arizona.

The Arizona Medical Association, the Arizona Psychiatric Society, and our fellow associations brought forth comments and testimony to the Arizona Medical Board to shed light on the stigmatizing nature of the application questions, which are being amended. As in effect prior to this rulemaking change, the questions as written constitute a well-recognized impediment to physicians seeking appropriate mental health treatment. The impacts of COVID-19 have created a mental health crisis for our nation; physicians who have been on the frontline helping patients for the past year are not spared from this crisis. Unfortunately, physicians have been hesitant to seek mental health treatment specifically

because of the negative impact it may have on their licensure.<sup>1</sup> In some cases, this has been deadly. "Currently, more than one physician in the United States dies by suicide every day.... many continue to suffer in silence out of fear of the professional stigma of seeking help."<sup>2</sup>

The Federation of State Medical Boards and the National Academy of Sciences, Engineering, and Medicine have acknowledged the language used by many state licensing boards inadvertently discriminates against physicians with mental illness and is not in compliance with the Americans with Disabilities Act.<sup>3</sup> These organizations recommend state medical boards begin only using language requesting an applicant to disclose a known *current* condition which impairs their ability to practice.

Our organizations affirm that the language changes in the revised regulation will meet the standards for GRRC approval, and especially satisfies the goal of rulemaking changes creating rules that are clear, concise and understandable to the general public.

We thank the Arizona Medical Board for thoughtfully considering the testimony and the evidence-based information presented and moving forward with revised language that is being considered in the Notice of Rulemaking referenced. The changes around licensure questions supports Arizona physicians and aligns with the highest standards aimed to ensure that physicians seek timely mental health treatment, without fear of repercussion during initial licensure or renewal. We truly believe that their actions, and your vote to support the same can save physician lives. We urge you to approve the Arizona Medical Board rulemaking changes.

Thank you for your consideration of this request.

Sincerely,



Jasleen Chhatwal, MBBS, MD  
President, Arizona Psychiatric Society



Miriam Anand, MD  
President, Arizona Medical Association

---

<sup>1</sup> "Doctors forgo mental health care during pandemic over concerns about licensing, stigma," available at: <https://www.aamc.org/news-insights/doctors-forgo-mental-health-care-during-pandemic-over-concerns-about-licensing-stigma>

<sup>2</sup> Dr. Lorna Breen Heroes' Foundation, available at: <https://drlornabreen.org/the-issue/>

<sup>3</sup> Physician Wellness and Burnout, available at: <https://www.fsmb.org/siteassets/advocacy/policies/policy-on-wellness-and-burnout.pdf>

**ARIZONA PSYCHIATRIC SOCIETY AND ARIZONA MEDICAL ASSOCIATION  
JOINED BY THE FOLLOWING ASSOCIATIONS AND ORGANIZATIONS:**

**ARIZONA ACADEMY OF FAMILY PHYSICIANS**

**ARIZONA CHAPTER, AMERICAN COLLEGE OF CARDIOLOGY**

**ARIZONA CHAPTER, AMERICAN COLLEGE OF PHYSICIANS**

**ARIZONA CHAPTER, AMERICAN COLLEGE OF SURGEONS**

**ARIZONA COLLEGE OF EMERGENCY PHYSICIANS**

**ARIZONA GERIATRICS SOCIETY**

**ARIZONA NEUROLOGICAL SOCIETY**

**ARIZONA OPHTHALMOLOGICAL SOCIETY**

**ARIZONA ORTHOPAEDIC SOCIETY**

**ARIZONA PAIN SOCIETY**

**ARIZONA SOCIETY OF ANESTHIOLOGISTS**

**ARIZONA SOCIETY OF CHILD & ADOLESCENT PSYCHIATRY**

**ARIZONA SOCIETY OF INTERVENTIONAL PAIN PHYSICIANS**

**ARIZONA RADIOLOGICAL SOCIETY**

**ARIZONA UROLOGICAL SOCIETY**

**GENESIS OB/GYN**

**MARICOPA COUNTY MEDICAL SOCIETY**

**PIMA COUNTY MEDICAL SOCIETY**

**THE GUIDANCE CENTER**

**THE NARBHA INSTITUTE**

**UNIVERSITY OF ARIZONA COLLEGE OF MEDICINE – TUCSON  
DEPARTMENT OF PSYCHIATRY**

**VALLEYWISE HEALTH SYSTEM**