



AMERICAN OSTEOPATHIC ASSOCIATION
TREATING OUR FAMILY AND YOURS



March 15, 2017

The Honorable Amy Volk
Chairwoman
Maine State Joint Committee on Labor, Commerce, Research and Economic Development
4 Elbridge Oliver Way
Scarborough, Maine 04074

Dear Chairwoman Volk:

The American Osteopathic Association (AOA) and the Maine Osteopathic Association (MOA) are writing to urge you to oppose LD 538. This bill would allow Advanced Practice Registered Nurses (APRNs) who have attained a doctor of nursing practice degree or a doctor of philosophy in nursing degree to use the title “doctor.” Maine’s Truth in Advertising law requires that health care professionals provide clear, easily understandable information to patients so that they are aware of who is providing their care.¹ The AOA and MOA oppose the use of the title “doctor” by non-physician clinicians as it is likely to mislead the public by implying that the non-physician clinician is engaged in the unlimited practice of medicine.

The AOA represents nearly 130,000 osteopathic physicians (DOs) and osteopathic medical students, promotes public health, encourages scientific research, serves as the primary certifying body for DOs and is the accrediting agency for osteopathic medical schools. More information on DOs/osteopathic medicine can be found at www.osteopathic.org. MOA is a professional medical organization that represents approximately 400 DOs and an additional 500 residents and students providing patient care in Maine.

Patient confusion about health care providers:

- **Patients deserve to know who is providing their care**, and are often confused about the difference between various types of health care providers.
- **Ambiguous provider terminology and misleading advertisements exacerbate patient confusion.**
- A recent national survey found that **only 41% of patients believe that it is easy to identify who is a licensed physician** and who is not, and **less than 50% were confident that health care providers only advertise and provide services for which they are properly trained.**²
- **Patients have an even more difficult time identifying the qualifications of specific professions.** For example, 42% of respondents thought that an optometrist was a physician, 36% identified psychologists as physicians and 35% thought a doctor of nursing practice was a physician.³

¹ MRSA §2988. Available at: http://www.mainelegislature.org/legis/bills/bills_126th/chapters/PUBLIC285.asp.

² Baselice & Associates, Inc. conducted a survey among 801 adults nationwide from May 27 to June 6, 2014. The overall margin of error is +/- 3.5 percent at the 95 percent confidence level.

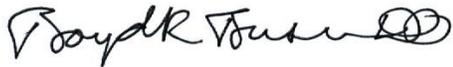
³ *Id.*

- Moreover, **88%** of survey respondents indicated that they would support legislation to require health care advertising materials to clearly designate the level of education, skill and training of all health care providers.⁴

These statistics demonstrate that patients need assistance in identifying the credentials of their health care providers, and that they overwhelmingly support truth in advertising laws. Maine law prohibits individuals, in the course of their occupations, from “causing likelihood of confusion or of misunderstanding as to the source...of services.”⁵ Allowing nurses to use the title “doctor” is likely to confuse patients as it implies that services are being provided by a fully trained and licensed physician.

Maine’s citizens deserve clear and accurate information in order to make informed decisions about who is providing their care. **We urge you to protect patient safety and promote transparency in health care advertising by opposing LD 538.** Should you need any additional information, please feel free to contact Nicholas Schilligo, MS, Associate Vice President, State Government Affairs, at nschilligo@osteopathic.org or (800) 621-1773, ext. 8185.

Sincerely,



Boyd R. Buser, DO
President, AOA



Merideth Norris, DO, FACOFP
President-elect, MOA

CC: Mark A. Baker, DO, AOA President-elect
William J. Burke, DO, Chair, AOA Department of Governmental Affairs
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Angela Cole-Westhoff, Executive Director, MOA

⁴ *Id.*

⁵ MRS Title 10, §1212. Available at: <http://www.mainelegislature.org/legis/statutes/10/title10sec1212.html>.