

TESTIMONY OF THE MAINE MEDICAL ASSOCIATION

IN OPPOSITION TO

L.D. 1167, AN ACT TO LIMIT THE WORK WEEK OF DOCTORS AND MEDICAL RESIDENTS

Joint Standing Committee on Labor
Room 220, Cross State Office Building
Augusta, Maine
Thursday, April 9, 2009

Good afternoon Senator Jackson, Representative Tuttle, & Members of the Joint Standing Committee on Labor. I am Andrew MacLean, Deputy EVP of the Maine Medical Association, and I am speaking in opposition to L.D. 1167, *An Act to Limit the Work Week of Doctors and Medical Residents*. The MMA is a professional organization representing more than 3000 Maine physicians, residents, and medical students whose mission is to support Maine physicians, advance the quality of medicine in Maine, and promote the health of all Maine citizens.

The MMA opposes mandatory overtime limits for any physician who has completed his or her training simply for practical reasons in a state with a chronic physician shortage. Such a limit likely would prevent Maine patients from receiving necessary care in a timely manner and would harm the quality of care provided in our state. To the best of my knowledge, no other state imposes such a restriction on fully-qualified physicians. Moreover, Maine law seems to exempt similar professionals from this requirement in 26 M.R.S.A. §603(E). Imagine the hours our accountant friends are working this week!

The medical profession and those involved in graduate medical education have acted to limit the working hours of medical interns and residents. In 2003, the Accreditation Council for Graduate Medical Education (ACGME) established limits for these physicians in training to 24 to 30 hours per shift and 80 hours per week. Today, the profession continues to debate the

balancing of interests between an individual's adequate rest on one hand and the commitment required to master a complex subject and to meet real health workforce challenges on the other as demonstrated in the following policy statements and news articles.

- American Medical Association House of Delegates Resolution 310.957, *Resident Working Conditions Reform Update*;
- American Medical Association House of Delegates Resolution 310.979, *Resident Physician Working Hours and Supervision*;
- *IOM urges more rest for residents in push to improve patient safety*, American Medical News, December 22, 2008;
- *Work-hour limits found to create little respite for residents*, American Medical News, September 1, 2008;
- *AMA meeting: Resident work hours stir passionate debate*, American Medical News, July 7, 2008.

I expect that you will hear additional testimony about the implications of this bill from one or more Maine residency program directors or other physicians involved in graduate medical education in Maine. Acknowledging the concerns of Representative Bolduc and others about health professionals' working hours and patient safety, the MMA respectfully urges the Committee to reject L.D. 1167 and to permit the medical profession to address these legitimate concerns as outlined above.

Thank you for considering the views of the MMA on this bill and I would be happy to respond to any questions you may have.