

Evaluation of Physicians in the #MeToo Era

Too many physicians and health care administrators labor under the illusion that the medical profession is immune to sex- and gender-based bullying, harassment, discrimination, and abuse. Even though the #MeToo Movement hasn't yet fully penetrated the medical profession, the same problems of human behavior occur in the health care environment as occur in all other settings, despite high educational level, high intelligence, rigorous training, supervision by regulatory agencies, and training for mandated reporters to recognize abusive behaviors.

One need look no farther than the case of Dr. Larry Nassar to realize that abusive physicians can evade detection for years even while repeatedly abusing patients in front of others, with catastrophic results for their patients and employers. In 2016, the *Atlanta Journal-Constitution* published the most extensive investigation ever conducted on physician sexual misconduct in the United States (Teegardin et al., 2016). The series, entitled "Doctors & Sex Abuse," uncovered more than 3,500 cases of sexual misconduct by physicians across the nation since 1999. The authors suggest that these cases of sexual misconduct epitomize the medical culture that ignores, enables, and excuses sexual misconduct by physicians across the nation.

Renewed attention to the issue of sexual harassment presents an opportunity to address problematic sexual behaviors in physicians. Such behaviors include gender biases, inappropriate sexual language, unwelcome touching, sexual harassment, unwanted sexual advances, coercive advances, and sexually abusive behaviors. Acknowledging the problem of sexual misconduct by physicians is the first step toward prevention. Addressing the problem starts with understanding the behavior, the investigative and preventive measures available, the risk for future behaviors, and the potential for rehabilitation.

One of the tools available is to refer physicians whose behavior has caused concern for a psychosexual evaluation by a clinician with specialized expertise. A psychosexual evaluation is a clinical evaluation that provides an evidence-based assessment of the subject's risk of engaging in future problematic sexual behaviors, identifies treatment needs, and recommends any necessary training, supervision, or monitoring for both that physician and other professionals in the same environment. The psychosexual evaluation also informs whether the physician with problematic sexual behaviors is able to safely and competently practice medicine, also referred to as a Fitness for Duty Evaluation.

Physicians who engage in the following behaviors should be referred for a Fitness for Duty Evaluation that includes a psychosexual evaluation:

- Gender-biased behavior, e.g., referring to women as "girls" or locker room talk that does not respond to disciplinary action
- Sexual behavior inappropriate to the health care setting, e.g., showing pornography to others, taking unnecessary photos, or lewd comments during physical exams
- Sexually harassing behavior, e.g., insisting on social contact outside work or unwanted comments about appearance
- Behavior that is not well understood, e.g., a vague complaint from patients or co-workers that a physician is making others feel uncomfortable
- Any coercive or abusive sexual behavior, e.g., demands for sexual contact, rubbing or touching someone without consent, or rape

The #MeToo Movement is about medicine. The national discourse on gender bias in the workplace includes healthcare institutions. It is our responsibility as physicians to promote physician wellness by confronting the problem.

To assist in this mission, PD&A offers the following consultative services:

- **Fitness for Duty Evaluations**
- **Referral to treatment programs for impaired physicians**
- **Consultation to healthcare institutions about high risk behaviors and risk reduction strategies**

Reference:

Teegardin, C., Robbins, D., Ernsthansen, J., Hart, A. (2016, July 6). License to Betray. *Atlanta Journal-Constitution*. Retrieved from http://doctors.ajc.com/doctors_sex_abuse/?ecmp=doctorssexabuse_microsite_nav