Why Vascular Surgery Must Have Its Own Independent RRC and American Board of Medical Specialties (ABMS) Approved Board: How Can The Specialty Get it

O. William Brown MD, JD

Why a Separate Board?
- Establish vascular surgery as the primary care givers for patients with vascular disease
- Allow vascular surgeons to determine the best training paradigms for those interested in becoming vascular surgeons
- Increase exposure of vascular surgery to the public (US News and World Report)

Why a separate Board? “A seat at the table”
- Active participation in development of service lines
- Independent access to hospital resources
- Clearly establish that general surgeons are not “certified” to provide vascular surgical care

Why doesn’t vascular surgery have a separate board?

Application
- ABVS incorporated in 1996
- Application submitted in 2002 (LCSB hearing on December 18, 2002)
- Application denied December 20, 2002 (No reasons given)
- Appeal heard before the LCSB Appeals Panel February 11, 2005

No Disclosures
Why wasn’t vascular surgery granted a separate board?

BECAUSE……..

Possible reasons for denial

• Protect general surgeon’s ability to perform vascular surgical procedures
• Allow general surgery to control the “asset” of vascular surgery
• Allegations that patients won’t be able to obtain care in rural areas
• General surgeons needed to have training in vascular surgery

What’s Changed?

Endovascular Therapies

• General surgeons are no longer qualified to provide vascular care
• Decrease in the number of open vascular procedures
• Primary certificate which does not require general surgery certification

Training

• Surgeons who wish to recertify in vascular surgery are no longer required to recertify in general surgery
• The majority of vascular surgical cases are now performed by trained vascular surgeons
• There has been no documented decrease in the standard of vascular surgical care provided to patients in rural areas

How does vascular surgery obtain an independent board?

• Reapply
• Establish a vascular surgery RRC
• Support of ABS
• Move forward as a unified group (have mechanism for funding a board in place)
• Be prepared and committed to pursuing any and all legal remedies if necessary (have a mechanism for funding litigation in place)
Possible Causes of Action

- Violation of Clayton Act
- Violation of Sherman Act
- Arbitrary and Capricious

Arbitrary and Capricious

Decision made by an administrative agency which is made without consideration or in disregard of facts

Other approaches

- Establishment of a board outside of the ABMS structure
- SVS support of separate board
- Boycott by vascular community of ABS certification

- Though drastic, it worked for the American Football League which was established in July of 1959, and in June of 1966 joined with the NFL to form a single league

How much does vascular surgery want its own independent board?

Conclusions

The attempt to obtain an independent vascular surgery board did not fail. It was put on hold for the betterment of patient care and the specialty itself.
Conclusions

Vascular surgery will fail if it acquiesces to those who have, and continue to prevent (perhaps illegally), the creation of an American Board of Vascular Surgery.