

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION IN MEDICINE

POLICY 16-01

(Adopted May 5, 2016)

POLICY ON GENDER IDENTITY AND THE PHYSICIAN PROFILE PROGRAM

The Board of Registration in Medicine prohibits discriminatory practices based on gender, race, color, religion, national origin, sexual orientation or gender identity. For purposes of this policy, “gender identity” means a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth. (M.G.L. c. 4, § 7, clause 59)

Under the Physician Profiles law, (M.G.L. c. 112, § 5), the Board collects certain information reported to it, creates individual profiles on licensees and former licensees, and disseminates that information to the public. In implementing the Profiles law, the Board complies with all state and federal anti-discrimination laws and with HIPAA (Health Insurance Portability and Accountability Act) laws. The Board protects the privacy of individually identifiable health information, including information related to a person’s transgender status or transition.

For these reasons, when identifying a transgender or gender nonconforming physician on the public profile, the Board will not publish a physician’s former name (“also known as –”) unless the physician requests that both names be published. This Policy represents a balancing of the physician’s rights, under state and federal anti-discrimination laws and HIPAA, with the patient’s right to be informed about the professional qualifications of his or her physician.

In accordance with the Profiles law, when transgender or gender nonconforming physicians wish to change their name on their Profile, the Board will provide the physician with a copy of the public profile prior to release to the public. The physician shall be provided a reasonable opportunity to correct any factual inaccuracies in the profile.

A consumer who has a question about finding the public profile of a Massachusetts physician should contact Board staff for assistance. The Board’s contact information shall be included on the Physician Profile website landing page.

The Physician Profiles Program does not identify physicians by gender. A physician wishing to change his or her gender marker may do so by contacting the Licensing Division. Physicians wishing to change their name may use the Name Change form available on the Board’s website.