

## **Recusal Guidelines**

Approved October 5, 2005

1. Reporting the recusal decision
  - a. When a member of the Board of Medicine decides to recuse him or herself from any Board proceeding or matter, the member must notify the Board Administrator and Board President immediately. If the necessity for recusal is discovered during preparation for or during a Board meeting, notice during the meeting is sufficient; if discovered between meetings, notification should occur immediately. Verbal notification from the Board member is sufficient, but the Board Administrator or the Board President must cause a written record of the recusal notification to be made and placed in the appropriate place in the Board file.
  - b. If a Board member deliberates the possibility of recusal and decides that recusal is not required, this decision should be communicated to the Board President and/or the Board. It is not necessary for the Board member to communicate the underlying facts that caused the recusal deliberation.
  
2. Conduct following recusal
  - a. The recused Board member must absent him or herself from the Board meeting before any discussion of the matter in question can occur.
  - b. The recused Board member may not discuss any aspect of the matter in question with any Board member or the Board administrator, during or outside a meeting. This prohibition continues even after the matter in question has been concluded.
  - c. The recused Board may not discuss any aspect of the matter in question with any non-Board member, including but not limited to the concerned licensee or patient, members of the public, or the media. If the matter in question is still in a non-public and/or investigatory stage, the Board member may not discuss even the fact of recusal. These prohibitions continue even after the matter in question has been concluded.
  - d. The recused Board member may not request non-public Board information concerning Board investigation, action or status of the matter from which the Board member has been recused. This prohibition continues even after the matter in question has been concluded.
  - e. The recused Board member may not read any non-public Board material about a matter from which the Board member has been recused. If the Board member is inadvertently exposed to non-public Board material about the matter in question, the Board member has a duty to immediately refrain from examining the material. All Board members have an ongoing duty to determine the names of the involved licensees, and if possible, involved patients, before reading the substance of any non-public Board material.
  - f. A recused Board member shall immediately report to the Board President the substance of any communication about the matter in question with individuals involved in the matter, no matter how brief or slight the communication.