

State Medical Advertising Restrictions

State	ABCS restricted in Advertising rule	Other restriction
Alabama	No	<p>http://www.albme.org/verification.htm Medical Licensure Commission of Alabama does not certify specialty board certification; refers to ABMS <u>only</u> for consumer to verify board certification.</p> <p>http://www.albme.org/app-reg.htm#QU Alabama State Board of Medical Examiners - in reference to licensure, only ABMS and AOA are mentioned as specialty certifying boards.</p>
Alaska	No	<p>http://www.dced.state.ak.us/occc/pub/MedicalStatutes.pdf 08.64.326(3): Alaska State Medical Board prohibits false or misleading advertising. No mention of specialty board advertising. 12 ACC 40.045: mentions only ABMS in reference to "courtesy licenses."</p>
Arkansas	No	<p>http://www.armedicalboard.org/support/forms/MPA.pdf Sections 17-80-111 and 17-95-409 of the Medical Practices Act: No false or misleading advertising. Does not specifically address certifying boards. The Act mentions only ABMS and AOA in other places but not in reference to</p>

		advertising certification.
Colorado	No	www.dora.state.co.us/medical/Rule290.htm Rule 290 of the Colorado Board of Medical Examiners: No false or misleading advertising; does not specifically address certifying boards.
California	http://www.medbd.ca.gov/Specialty.htm 1363.5 of Medical Board of California: Advertising of Specialty Board Certification This rule is complex. If advertising "board certified" the board must be ABMS OR must meet with a series of requirements in the text of the rule.	
Connecticut	No	Not regulated by the Medical Board. As long as the advertising is truthful, it is perfectly fine to advertise "Board Certified" in Connecticut. Jeff Kardys, Board Liaison
Delaware	No	No
DC	No	No
Florida	A physician may use on letterhead or in advertising a reference to the physician's specialty recognition received from a recognizing agency that has not been approved by the Board only if the letterhead or advertising also contains in the same print size or volume the statement that "The specialty recognition identified herein has been received from a private organization not affiliated with or recognized by the Florida Board of Medicine." For purposes of this rule, the Board approves the specialty boards of the American Board of Medical Specialties (ABMS) as recognizing agencies, and such other recognizing agencies as may request and receive future approval by the Board based upon the following criteria. https://www.flrules.org/Gateway/View_notice.asp?id=3405299	No
Georgia	No	http://www.legis.state.ga.us/legis/2003_04/sacod/e/43-34A-3.html In reference to physician profiles created by the Georgia Composite State Board of Medical Examiners, only ABMS is mentioned as a resource for verifying board certification.

		<p>http://www.medicalboard.state.ga.us/pdfs/phys_license_faqs.pdf</p> <p>FAQ: What does board certified mean? "Board certified means that a physician has taken and passed an oral and written exam in their field of expertise or specialty. The American Board of Medical Specialties at (#) recognizes this specialty."</p> <p>http://www.medicalboard.state.ga.us/pdfs/final_general_info.pdf</p> <p>"many valid certifying boards don't participate in the ABMS..."</p> <p>http://www.medicalboard.state.ga.us/pdfs/physician_app.pdf</p> <p>Application for state licensure. Asks only about board certification by the ABMS.</p> <p>http://www.state.ga.us/meb/rule_change_llicreqire.html</p> <p>Appears that all references to licensure by Endorsement have been amended (removed).</p> <p>No rules that prevent a doctor from truthfully advertising himself "Board Certified". Constance Cabral – Executive Officer 6-19-07</p>
Hawaii	No	
Idaho	No	No
Illinois	No	No
Indiana	No	No
Iowa	No	No
Kansas	No	No
Kentucky	Advertising of Specialty Board Certification	May not advertise.
	This rule is complex. If advertising "board certified" the board must be ABMS OR must meet with a series of requirements in the text of the rule.	
Louisiana	No	No
Maine	No	http://www.docboard.org/me/administrative/373c001.doc

			Chapter 1 of the Maine Board of Licensure in Medicine's Rules: Certification by ABMS (only) is mentioned as counting towards necessary CME credits for stat licensure. http://janus.state.me.us/legis/statutes/32/title32sec3270.html Title 32, Chapter 48 of Maine Board of Licensure in Medicine statutes: a physician certified by the ABMS is deemed to have met the postgraduate training requirements for licensure.
Maryland	http://www.dsd.state.md.us/comar/10/10.32.01.12.htm Code of Maryland Regulations (COMAR) 10.32.01.12B (10): Physician may not advertise board certification unless it is through ABMS, AOA or The Board of Physician Quality Assurance (← if before 1996.)	No	No
Massachusetts	No	No	No
Michigan	No	http://www.legislature.mi.gov/(S/v2yq3ie2awg5xn55ndj53tyb)/mleg.aspx?page=getobject&objectname=mcl-333-16221&queryid=18414519&highlight=16221	
Minnesota	No	Subd. 3. Practice of medicine defined. For purposes of this chapter, a person not exempted under section 147.09 is "practicing medicine" or engaged in the "practice of medicine" if the person does any of the following: (1) advertises, holds out to the public, or represents in any manner that the person is authorized to practice medicine in this state;	
Mississippi	No	No	No
Missouri	No	No	No

Montana	http://pr.mo.gov/boards/healingarts/112002redbook.pdf Medical Practice Act 334.100 (g) prohibits false or deceptive advertising: does not specifically mention certifying boards.	No
Nebraska	No	http://www.sos.state.ne.us/business/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-88.pdf Chapter 88 of Rules and Regulations Title 172: 88-012.03: No deceptive advertising. ABMS (only) mentioned in reference to licensing and license renewal.
Nevada	No	http://www.leg.state.nv.us/NRS/NRS-630.html#NRS630sec161 A license may be issued to any person who is certified by the ABMS.
New Hampshire	http://gencourt.state.nh.us/rules/med100-500.html New Hampshire DHHS Administrative Rules: Definitions - "Board certified" is defined as a physician who has been granted certification by a medical specialty board recognized by the ABMS.	No
New Jersey	No.	No
New Mexico		http://www.nmcpjr.state.nm.us/nmac/parts/title16/16.010.0002.htm 16.10.2.10. (4&5): Licensure by endorsement requires "completion of three years of progressive postgraduate training in an accredited program; or current certification from a medical specialty board recognized by the American Board of Medical Specialties (ABMS)."
New York	"You may not hold out to the public that you are board certified unless you are board certified." -Douglas P Elkins, Assistant Executive Secretary, New York State Board for Medicine	No
North Carolina	Yes	Consistent with federal regulations that apply to commercial advertising, a physician who is preparing or authorizing an advertisement or publicity item should ensure in advance that the communication is explicitly and implicitly

		truthful and not misleading. Physicians should list their names under a specific specialty in classified telephone directories and other commercial directories only if they are board certified or have successfully completed a training program in that specialty accredited by the Accreditation Council for Graduate Medical Education or approved by the Council on Postdoctoral Training of the American Osteopathic Association.
North Dakota	No	Per Lynette – North Dakota only recognizes in their database ABMS specialties. However, if someone is “Board Certified”, that would not be false advertising within the scope of North Dakota’s rules.
Ohio	No	No
Oklahoma	http://www.okmedicalboard.org/misc/function.php?filename=MDRULES.pdf Oklahoma Administrative Code: 435:10-7-2 Use of Board Certification: Physicians may use the term “board certified” if certified through an ABMS board or another organization that the Board finds equivalent.	No
Oregon	No	No
Pennsylvania ^a	Prohibits false or misleading advertising; specialty certification boards are not addressed	No
Rhode Island	No	No
South Carolina		http://www.ltr.state.sc.us/pol/medical/Statutes%20current%20of%20the%202004%202005.pdf 40-47-140 : Applicant for licensure must have taken FLEX/ SPEX/ COMVEX within 10 years or can waive this if certified by ABMS or AOA.

			http://www.scstatehouse.net/coderegs/c081.htm Article 9: licensure by endorsement if certified by ABMS or AOA. http://www.ltr.state.sc.us/pol/medical/index.asp?file=Regulation%2081%2095.htm 81-95. Continued Competency: standards physicians must meet for renewal or reinstatement mention ABMS, AOA, or "other approved specialty board."
South Dakota	?		?
Tennessee	http://www.state.tn.us/sos/rules/0880/0880-02.pdf Chapter 0880-2-.13 of General Rules and Regulations Governing the Practice of Medicine: Prohibits deceptive advertising; does not specifically mention certifying boards. Multiple references to "boards recognized by the AMA," but no specific boards mentioned.	No	
Texas	http://www.tmb.state.tx.us/rules/rules/164.php#1644 Texas State Board of Medical Examiners Rules: 164.4. Board Certification This rule is complex. Physician must specify the name of the board they are certified by, and it must be an ABMS or AOABOS board or meet a series of requirements listed in the text of the rule.	No	
Utah	No	No	
Vermont	No	Legal Opinion being sent to the office 6-18-07	
Virginia	www.dhp.state.va.us/medicine/leg/Medicine%207-14-04.doc 18 VAC 85-20-30 of Virginia Administrative Code- Advertising Ethics:		

	<p>Physician must include name of board they are certified by in advertisements.</p> <p>http://www.dhp.state.va.us/medicine/leg/Chapter%2029%20Medicine.doc</p> <p>Code of Virginia/Medicine: § 54.1-2910.1. Certain data required: certifications from ABMS, AOA, and 3 podiatry specialty boards must be reported to the VA BOM. Doesn't mention AAPS/ABPS.</p> <p>http://www.dhp.state.va.us/medicine/leg/Medicine%207-14-04.doc18VAC85-20-280. Required information: mentions same specialty boards as above.</p>	
Washington	<p>http://slc.leg.wa.gov/wsr/2004/18/04-18-097.htm</p> <p>Expedited Rules of the Department of Health, Definitions: "Board certified" or "board-certified" means that a physician has been certified by the appropriate specialty board recognized by the American Board of Medical Specialties. For the purposes of this chapter, references to "board certified" include physicians who are board-qualified.</p>	<p>http://www.leg.wa.gov/WAC/index.cfm?section=246-919-430&fuseaction=section</p> <p>Certification or recertification by a board approved by ABMS may serve in lieu of 200 hours of CME needed for license renewal.</p>
West Virginia	No	No
Wisconsin	<p>http://dhl.wi.gov/prof/doct/pfaq.htm</p> <p>FAQ: When advertising board certification you must also disclose the name of the specialty board through which you are certified.</p>	No
Wyoming	<p>http://legisweb.state.wy.us/statutes/titles/title33/chapter26.htm</p> <p>Chapter 26 of the Wyoming Medical Practice Act - W.S. 33-26-402 (a) (iii): Prohibits false or misleading advertising; does not address certifying boards.</p>	No