



# COLORADO

## House of Medicine

October 27, 2021

Donald J. Lefkowitz, MD  
Colorado Medical Board  
1560 Broadway, Suite 1350  
Denver, CO 80202

Dear Dr. Lefkowitz:

On behalf of the Colorado Medical Society and the Colorado House of Medicine, I am writing about the negative impacts that COVID-19 misinformation continues to have on the health of Coloradans. We respectfully request that the Colorado Medical Board exercise its authority to protect the public from our current public health crisis.

According to the Colorado Department of Public Health and Environment (CDPHE) and the Colorado School of Public Health, Colorado is currently experiencing a so-called “fifth wave” of COVID-19 infections with an estimated 1 in 99 Coloradans currently infected. The state’s epidemiologist, Dr. Rachel Herlihy, has reiterated that evidence-based transmission control measures are critical for addressing this pandemic and saving lives: “The state data and the modeling indicates we are not quite out of the woods yet ... In the short-term, transmission control measures, like masking and social distancing, will continue to reduce peak hospital demand. Longer term, an increase in vaccination rates will continue to be crucial to reducing hospital demand and saving lives.”

One of the greatest barriers to successful implementation of transmission control measures has been misinformation about the need to vaccinate and wear masks promulgated by licensed health professionals. Indeed, we are aware of physicians and other healthcare practitioners who have demanded “equal time” to present misleading and unscientific “data” to school boards and public health departments with the intent of abolishing vaccine usage and mask mandates. This public facing activity undermines public safety and directly harms the people of Colorado.

We believe it is imperative that the Colorado Medical Board (CMB) issue appropriate rules expressly stating that the dissemination of misinformation regarding COVID-19 constitutes unprofessional conduct under § 12-36-117, CRS. We note that such rules are consistent with a recent statement by the Federation of State Medical Boards:

“Physicians who generate and spread COVID-19 vaccine misinformation or disinformation are risking disciplinary action by state medical boards, including the suspension or revocation of their medical license. Due to their specialized knowledge and training, licensed physicians possess a high degree of public trust and therefore have a powerful platform in society, whether they recognize it or not. They also have an ethical and professional responsibility to practice medicine in the best interests of their patients and must share information that is factual, scientifically grounded and consensus-driven for the betterment of public health. Spreading inaccurate COVID-19 vaccine information contradicts that responsibility, threatens to further erode public trust in the medical profession and puts all patients at risk.”

We further note that the American Board of Medical Specialties also [declares](#) that the dissemination of misinformation regarding COVID-19 is unethical, unprofessional, and a danger to the general public:

“The American Board of Medical Specialties (ABMS), along with others in the health care community, is concerned about the serious public health effects of the persistent spread of misinformation regarding the COVID-19 virus. Misinformation has been directly linked to much of the vaccine hesitancy and disregard for practical safeguards against infection, including masking and distancing, and is a contributing factor hindering national efforts to combat the virus.

As members of the medical community, we are committed to protecting patients from harm and prioritizing their welfare based on application of the best available scientific evidence. The spread of misinformation and the misapplication of medical science by physicians and other medical professionals is especially harmful as it threatens the health and well being of our communities and at the same time undermines public trust in the profession and established best practices in care. The spread by a diplomate of unscientific misinformation harmful to public health is unethical and unprofessional and may threaten certification by an ABMS Member Board.

ABMS supports recent statements by the [Federation of State Medical Boards](#), the [American Board of Emergency Medicine](#), [American Board of Pathology](#) and the joint statement by the [American Boards of Family Medicine](#), [Internal Medicine](#) and [Pediatrics](#), regarding the ethical and professional responsibility of physicians sharing information publicly to represent current scientific evidence accurately and faithfully. Misrepresentation or misapplication of science is unethical and unprofessional and harmful to patients and the public.”

Accordingly, we urge the CMB, pursuant to its authority, to consider the public dissemination of misinformation and the misapplication of medical science on COVID-19 by physicians, PAs and AAs as constituting unprofessional conduct and as subject to disciplinary action.

Thank you for your consideration of this request.

Sincerely,



Mark B. Johnson, MD, MPH  
President, Colorado Medical Society

Co-signed:  
American Academy of Pediatrics Colorado Chapter  
American College of Obstetricians & Gynecologists -  
Colorado  
Colorado Academy of Family Physicians

Colorado Chapter – American College of Emergency  
Physicians  
Colorado Orthopaedic Society  
Colorado Society of Eye Physicians & Surgeons  
Denver Medical Society  
Pueblo County Medical Society

cc: Paula E. Martinez, Program Director