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Michael O. Koch, M.D.  
President  
American Board of Urology  
2216 Ivy Road, Suite 210  
Charlottesville, VA 22903

Dear Dr. Koch:

I am writing to you on behalf of the Chicago Urological Society on a topic of interest to many of us. A substantial percentage of our members have expressed puzzlement about, or disagreement with, the details of the recently implemented \$200 annual Certificate Maintenance fee program. There has been much discussion of this topic, and the views expressed below merit serious review, as they serve to document the need for reconsideration of some aspects of the new Maintenance of Certification program. Bear in mind that many, if not most, of those physicians who are currently dissatisfied, willingly contributed to ABU in the past under the Voluntary Dues program—when it actually was voluntary.

The status of 'new' urologists seeking Board Certification for the first time has not raised much controversy, either with respect to the new MOC qualifying protocols or the revised fee schedule. In general, the view seems to be that these practitioners are on notice of the MOC terms they are agreeing to.

However, this is not the case for other Chicago Urological Society members. Virtually all of our remaining membership began the Certification process paying a large prospective fee, and these urologists have continued to pay in that manner as they achieved Recertification at ten-year intervals. While dropping the large fee previously paid at the decade retests might represent an attempt at fairness for some, the urologists who now choose to retire at any time before they would otherwise have had to recertify under the old system feel that they are paying twice.

I will elaborate. A number of our member urologists paid the full fee of a thousand dollars or more to be recertified by the American Board of Urology within the last ten years. This payment was made with the understanding and express stated commitment from the ABU that these physicians' financial obligation to the Board for their Certification was thereby satisfied for a decade into the future. Now they are being coerced to pay an additional \$200 annual fee or be subject to arbitrary revocation of their

Board Certification. Since, as you well know, lack of Board Certification equates with withdrawal of privileges to practice at most hospitals, which effectively destroys an urologist's livelihood, this is a serious matter. The doctors who are subjected to this threat have no real choice but to pay what is demanded of them. Many of our membership perceive this one-sided revision of their agreement with the ABU as being unfair. This perception has not been helped by a 100% "late fee" which is higher than the worst credit card companies' late fees.

If you have difficulty appreciating this reaction, imagine, as an illustrative parallel, how you would feel if your alma mater informed you that from now on, you were to pay them hundreds of dollars a year—or they would wipe your graduation off the books and rescind your diploma.

To frame this issue in terms of the communications we receive via the ABU Newsletters: How did endorsement of the view that "lawyers have advised the Board that it has a contract with these urologists which cannot be unilaterally revoked" (ABU Rpt. 10/07) change to "the Trustees have decided that an annual certificate fee payable by all Diplomates to the ABU represents the best option" to cover fees and costs (ABU Rpt 10/08)?

While the subgroup of urologists subjected to this unfair treatment may be entitled to a full rebate of charges and late fees, we appreciate the ABU's good intentions and the complexity and expense required to administer such a refund. Therefore, we suggest the ABU credit any late fees received to the following year's requested contribution, and solicit only voluntary contributions from the affected urologists until the Certificate they currently hold becomes outdated.

I regret that this is probably not, initially at least, a very pleasant letter to receive. However, the ABU wisely welcomes—and reminds us in the Newsletter that they do welcome— comments from Diplomates on issues affecting the practice of urology or the Board Certification process. We thought these comments should be part of the considerations to be addressed as the ABU evolves.

Sincerely,

Gordon J. Kinzler, M.D.  
President Chicago Urological Society  
And The Executive Board of the Chicago Urological Society

cc: Stuart S. Howards, M.D., Executive Secretary  
American Board of Urology