Self-Governance
A Model for Open Societies

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Perspectives

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Conflict of Interest Statement

No conflict, but a clear interest.

Many of the constituents of the World Medical Association are regulatory bodies or have regulatory functions.
Self-Regulation

A reminiscent of the past? Medieval?
Self-serving? Non-democratic?
Market hostile?

Thesis 1

The rights and privileges to self-govern the profession are balanced by duties and obligations to the public.
Thesis 2

If the public functions of the professional organization outweigh or dominate the professional functions obligatory membership will be adequate.

Thesis 3

In a democratic society self-governance is a matter of power sharing. It is protecting freedom for those who are vulnerable and weak and those who serve them.
Models of Self-Regulation

Councils, Chambers, Ordres and Colleges

Private Associations
Public Functions

Regulation
- Deontology
- Supervision/Sanction
- Arbitration/Mediation

Care
- Ensuring care
- Emergency care
- Expertise

Quality/Safety
- Structure
- Process
- Outcome

Professional Functions

Political tasks
- Advocacy
- Counselling
- PR

Specific tasks
- CME/CPD
- Communication
- EBM/Guidance

Social tasks
- Bargaining/Contracting
- Retirement Funds
- Welfare
Challenges

Competence

Quality

Conduct *(does not include criminal investigation)*

Ensuring the provision of high quality health care to all people

The Automobile Club Question

What do I get for my contribution?
Checks and Balances

What do I get for my contribution?

The right / opportunity to determine structure of my profession (within its borders).

Protection against undue state intervention and commoditisation.

Advocacy, collective bargaining, services.

Thesis 1

The rights and privileges to self-govern the profession are balanced by duties and obligations to the public.
# Duties, Rights and Privileges

## Public functions
- Common duties versus the public
- Responsibility
- Transparency
- Accountability
- **Obligatory membership**

## Professional functions
- Common realisation of group interests
- Loyalty
- Representation of interests "Pressure Group"
- **Voluntary membership**

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## Thesis 2

If the public functions of the professional organization outweigh or dominate the professional functions obligatory membership will be adequate.
Challenges

Does self-governance limit the free market in health care?
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The patient is not a consumer or customer. Health care professionals (HCP) are not mere service providers.
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Does self-governance limit the free market in health care?

The patient is not a consumer or customer. Health care professionals (HCP) are not mere service providers.

Individual HCPs alone have no negotiation power vs. governments, MCOs, insurers etc.

Regulations limit freedoms of commercial/industrial relations, but provide protection to the patient / HCP-relation. Clinical independence and patient autonomy.

Thesis 3

In a democratic society self-governance is a matter of power sharing. It is protecting freedom for those who are vulnerable and weak and those who serve them.
Conclusions I

Self-governance is more than self-regulation.

It comprises a contract with society and often it is more a burden than a privilege.

Self-regulation can be a key factor to ensure quality care for all.

Conclusions II

Self-regulation can not and should not substitute for criminal justice.

Self-governance is a matter of power sharing. It requires a strong respect for the parliament.

Self-regulation is a matter of trust, the fulfilment of duties with a high degree of responsibility and accountability is critical.