

SUBJECT: Opposition of Physician Gag Rules
SUBMITTED BY: Michigan Association of Osteopathic Family Physicians
REFERRED TO: 2017 ACOFP Congress of Delegates

RESOLUTION NO. 10

- 1 WHEREAS, legislation that limits the capacity of physicians to ask questions of their patients about
2 gun ownership and to counsel patients about the dangers of guns in the home (herein
3 referred to as “physician gag rules”) interferes with the preventive care duties of health care
4 practitioners and violates the First Amendment rights of physicians and their patients; and
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6 WHEREAS, physicians and other health care practitioners play a key role in counseling patients
7 about the risks of injuries and best practices to minimize those risks as part of the practice of
8 preventive care; and
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10 WHEREAS, the American Medical Association adopted a policy to reduce pediatric firearm
11 morbidity and mortality by encouraging its members to: (a) inquire as to the presence of
12 household firearms as part of childproofing the home; (b) educate patients to the dangers of
13 firearms to children; (c) encourage patients to educate their children and neighbors as to the
14 dangers of firearms; and (d) routinely remind patients to obtain firearm safety locks, to store
15 firearms under lock and key, and to store ammunition separately from firearms. Safety
16 counseling regarding firearms in the home is also a recommended part of adult medical care.
17 The American Psychiatric Association has recommended that “health professionals and
18 health systems should ask about firearm ownership whenever clinically appropriate in the
19 judgment of the physician.” And,
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21 WHEREAS, physician gag rules limit physician capacity to appropriately counsel their patients and
22 parents; and
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24 WHEREAS, the provision of safety counseling by physicians, who are private, not governmental
25 actors, to patients who are entirely free to ignore the physicians’ advice, raises no serious
26 Second Amendment issue; now, therefore be it,
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28 RESOLVED, that the American College of Osteopathic Family Physicians (ACOFP) oppose
29 governmental actions and policies that limit the capacity of physicians and other health care
30 providers to inquire of their patients on whether they possess guns, how they are secured in
31 the home, to counsel their patients about the dangers of guns in the home, and safe practices
32 to avoid those dangers; and, be it further,
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34 RESOLVED, that the ACOFP oppose any further legislation or initiatives advocating physician gag
35 rules that limit physicians’ right to free speech.