



Network New York The Alliance Voice

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Mission: "to support our physicians and promote health in our communities"

News from the Tri-President, Barbara Ellman



During our Fall Conference, we heard from Pat Clancy, Sr. Vice-President of Public Health and Education, about MSSNY's legislative positions. We talked about MSSNY's opposition to flavored tobacco products and concern about underage vaping since enforcement of the minimum age to purchase is difficult because e-cigarettes are sleek and easy to conceal. Ms. Clancy also pointed out that flavors may have been approved by the FDA for ingestion, but not inhalation. We discussed MSSNY's opposition to legalization of marijuana although they do support decriminalization. We discussed advocacy efforts needed to get the governor to sign bills that were approved by the legislature and supported by MSSNY. Cheryl Stier arranged

a community conversation on requiring headgear for girls' lacrosse. It included a representative from Hummingbird Sports, the company that developed a US Lacrosse approved headgear, a legislator, and a public school sports representative. Although evidence was presented that headgear reduces injuries, there is still not enough hard evidence to require headgear. The question was posed that if given the opportunity to provide your child, or grandchild with a league approved protective helmet, shown in laboratory testing to reduce impact forces from ball to head and stick to head impact, would you refuse such protection? Our advocacy on these issues continues and Cheryl is our representative on the Brain Safety Alliance. For further information, visit the website

www.brainsafetyalliance.com. On February 13, Helena Mirza, Cheryl Stier and I will meet with Moe Auster, MSSNY Sr. Vice President, to discuss how to draft legislation to mandate helmet use and find sponsors for the legislation.

Supporting our physician spouses through our advocacy remains a main focus. Please try to attend the Physician Advocacy Day on Wednesday, March 4 at 8AM in the Lewis Swyer Theatre in the Egg located at the Empire State Plaza, Albany, NY. Following the morning program, you will have the opportunity to join representatives from your county society to speak with your legislators about legislation supported by MSSNY and areas of concern.

Another way to support MSSNY's legislative agenda would be a donation to MSSNYPAC. MSSNY continues to work with legislators to defeat proposals that would worsen the practice environment including minute clinics, expansion of practice for non-physicians, narrowing insurance networks, etc. while working also to lessen physician hassles.

Membership is a vital part of any organization and in order for us to continue doing all that we do, we need members. If you can't be an active member right now, your dues will help us to continue our great work and when you are ready, there are many jobs that don't require a lot of your time that would be very helpful to us. Whatever your interest is, we have a spot for you! A membership application is included in this newsletter. We hope you are taking advantage of *The Physician Family* magazine available to members and nonmembers at

All national members should also be receiving the *Alliance in Motion* magazine

News from the Tri-President - Page 1-2

Physician Advocacy Day-
Page 2

Annual Meeting - Page 2

Legislation-Pages 2-4

MSSNYPAC -Page 4

Health News-Pages 5-6

Calendar -Page 6

MALS - Page 6

Category of Links

<http://www.mssny.org>
click on About MSSNY
then member section link
and then onto the Alliance
<http://www.mssny.org/mssnyip.cfm?c=i&nm=Alliance>

Contact Us

krohrer@mssny.org

Mark your calendars to join us at our annual meeting on April 23 and 24 at the Westchester Marriott. Details are available in this newsletter and also from our Executive Director, Kathy Rohrer at krohrer@mssny.org.

Barbara Ellman, Tri-President, 2019-2020

Physician Advocacy Day - March 4th

MSSNY's "Physician Advocacy Day" will be held on Wednesday, March 4th at 8AM in the Lewis Swyer Theatre in the Egg located at the Empire State Plaza, Albany NY. There will be a brief morning program including remarks from Senator Gustavo Rivera, Chair of the Senate's Health Committee; Assemblyman Richard Gottfried, Chair of the Assembly Health Committee; Senator Minority Leader John Flanagan; Senator Neil Breslin; Assemblyman Kevin Cahill and Troy Oeschner, Deputy Superintendent for Health-Department of Financial Services. After the morning program, there will be a brief luncheon to which members of each House are invited. County medical societies will arrange meetings with their local legislators in the afternoon. Please take this opportunity to meet with your legislators and urge them to:

- Reduce excessive health insurer prior authorization hassles that delay patient care
- Reject proposals that would add prior authorization burdens for care provided to Medicaid patients
- Reduce the high cost of medical liability insurance through comprehensive reforms
- Reject burdensome mandates that interfere with patient care delivery
- Preserve opportunities for medical students and residents to become New York's future health care leaders
- Reject inappropriate scope of practice expansions of non-physician practitioners
- Prevent big-box, store-owned medical clinics that will negatively impact community primary care delivery
- Proceed very cautiously on paradigm shifting proposals such as legalization of recreational marijuana and creating a single payor health insurance structure
- Urge reversal of the 1% Medicaid pay cut to physicians
- Reject proposed unfair cuts to physicians treating patients covered by both Medicare and Medicaid
- Preserve due process for physicians
- Prevent counterproductive Medicaid cuts

Register at www.mssny.org.

84th Annual Meeting

The Alliance is pleased to announce that their 84th Annual Meeting will be held April 23-24 at the Westchester Marriott, 670 White Plains Road (Route 119) in Tarrytown, NY. This meeting will be held in conjunction with MSSNY's House of Delegates meeting. All Physicians spouses/significant others are invited to join us as we review the activities of the Alliance over the past year and plan for the future of the Alliance. Please come to network and learn about the issues facing our physician spouses.

Our meeting hours are 2:30-5:30 PM Thursday, and 8:30 AM - noon on Friday. Friday activities also include a celebration luncheon at 12:30 PM. To make hotel reservations, go to

<http://www.marriott.com/event-reservations/reservation-link.mi?id=1579043496924&key=GRP&app=resvlink>

by March 31. The Call to the Annual Meeting will include registration forms and is now available from Kathy Rohrer, krohrer@mssny.org. Completed registration is due by March 20. We thank you for your continued support of your Alliance and look forward to your participation.

Legislation

Federal

Members of Congress are still considering legislation concerning surprise medical bills. But instead of considering a bill consistent with New York's, the bill S.1895 (The Lower Health Care Costs Act) and its companion bill HR.3630 bases reimbursement on benchmarking which allows insurance companies to set prices on medical treatment.

Please advocate for the Ruiz-Roe legislation (HR3502) that mirrors New York's law that allows for a "baseball arbitration" Independent Dispute Resolution System to determine payment for out of network care and uses charge data from an independent database. For more information go to www.outofthemiddle.org. Send a letter to Senators Schumer and Gillibrand, as well as your local US Representative urging your member of Congress to fight for a "surprise medical billing" law that is consistent with New York's approach.

The Trump Administration and the FDA announced a limited ban of flavored e-cigarettes and the sale of all sweet and fruity flavored vape pods and cartridges but allows gas stations and convenience stores to continue to sell menthol cartridges and vapes. A preliminary injunction was filed against the Trump Administration's Public Charge Rule to stop it from taking effect, arguing that it would harm millions of non-citizens and their family members by deterring them from accessing public

benefits that they are lawfully entitled to receive. Individuals who would have otherwise had access to healthcare are at risk of living with undiagnosed and untreated conditions since many are afraid to access benefits in fear of hurting their immigration status.

New York State

Governor Cuomo proposed a \$178 Billion Budget for the 2020-21 State Fiscal year. It included measures to close a \$6.1 billion Budget deficit by creating a new Medicaid Redesign Team (MRT) to recommend \$2.5 Billion in Medicaid savings, assuming an additional \$2 billion in new tax revenue, and reducing \$1.8 billion in payments to localities.

Items of significant concern include:

- Expanding the ability of the Commissioner of Health to notify the public that a physician is under investigation and to make it easier for the Commissioner to summarily suspend a physician license during a disciplinary investigation. There are over 100,000 physicians in NY State. In 2016, about 10,000 reports were made to NY's Office of Professional Medical Conduct. Out of those, about 300 resulted in serious actions - less than 3%. And the time it took was the result of painstaking investigation with full due process rights provided. This expansion may result in unsubstantiated allegations being released which could ruin a physician's reputation. Send a letter to your legislators here: <https://p2a.co/GPKcJ7g>
- Expanding the information on the physician profile to include office hours, whether accepting new patients, insurance participation information, and mandatory completion of a workforce survey.
- Legalizing, regulating and taxing the production, distribution, transportation, and sale of recreational or "adult-use" marijuana.
- Expanding the list of adult immunizations that can be provided by pharmacists to all those recommended by the ACIP.
- Expanding the existing physician-pharmacist collaborative drug therapy program to include nurse practitioners and physician assistants

Positive items under the budget include:

- Requires the Department of Financial Services (DFS) to regulate Pharmaceutical Benefit Managers (PBMs) and to disclose financial incentives they receive
- Includes a comprehensive anti-smoking package including: prohibiting the sale or distribution of e-cigarettes or vapor products that have a characterizing flavor; prohibiting the sale of tobacco products in all pharmacies; expanding the definition of "place of employment" to define indoor space and limit second hand smoke exposure; restricting the advertising of vapor products requires manufacturers of vapor products to disclose to the DOH Commissioner and the public, information regarding the ingredients, by-products, or contaminants in vapor products, bans certain carrier oils if they are determined to be harmful; bans coupons and manufacturer discounts and displays in shops; and increases penalties for illegally selling tobacco products to minors.
- Creates an administrative simplification work group to address health insurance hassles and to expedite physician credentialing applications.
- Establishes the Behavioral Health Parity Compliance Fund for the collection of penalties imposed on insurance carriers who violate New York's Behavioral Health Parity laws. Funds will be used to support the Substance Use Disorder and Mental Health Ombudsman program.
- Reduces the interest rate on medical malpractice and other court judgements from 9% to a market-based rate.
- Reduces the business income tax rate from 6.5% to 4% for businesses with 100 or fewer employees and with net income below \$390,000 that file under Article 9-A.
- Provides \$14.2 million in funding to ensure access to a full array of reproductive services for women due to the loss of Title X funding.
- Provides \$8 million to improve maternal health outcomes and for the implementation bias training and incentives for an expansion of community health workers related to Maternal Mortality.
- Continues funding for the Excess Medical Malpractice Insurance Program
- Continues funding for the Committee for Physicians' Health

Other items of note:

- Convenes a new Medicaid Redesign Team (MRT) to come up with \$2.5 billion in savings.
- Authorizes DFS to investigate pricing of any prescription drug if the price of such drug has increased by more than 100% within a one-year time period
- Caps the co-payments required of insured patients at \$100 for a one-month supply of insulin.
- Develops a website, “NYHealthCareCompare”, that will allow New Yorkers to look up charges for medical services, the quality of services provided, and access information about financial assistance programs, as well as what to do about a surprise medical bill.
- Imposes a Certificate of Need surcharge on hospitals to oversee construction projects.
- Requires local governments to stay within 2% property tax increase or be held accountable for excess growth in Medicaid costs.

Several items of concern from previous Budgets, such as cuts to Medicaid payments for treating dual eligible patients, elimination of “prescriber prevails” under Medicaid, and expansion of CRNA scope of practice WERE NOT included (but could be brought up under the new MRT).

Legislation supported by MSSNY:

The Medical Society of the State of New York supports banning all flavored e-cigarettes, including menthol and supports legislation that would also ban all flavored tobacco products, such as chewing tobacco and cigarillos. Multiple pieces of legislation have been Introduced:

S.428B, Hoylman/A47, Rosenthal - prohibits the sale and distribution of flavored e-cigarettes, including menthol.

S.6808, Hoylman/A.8808, Bichotte - bans flavored tobacco products.

S.3905A, Rivera - regulates electronic cigarettes in the same way as tobacco products to prevent access to products by persons younger than 21 years.

S.4249A, Martinez - creates restrictions for the locations of tobacco stores and electronic cigarette stores to be at least 200 feet away from a school or place of worship.

Additional legislation:

S.7115, Rivera/A.9034, McDonald - allows a prescriber to issue a partially filled prescription for a Controlled Substance.

Legislation opposed by MSSNY:

S.7102, Benjamin includes requirements that would reduce the likelihood of overdose and spread of blood-borne diseases by those who use drugs; medications used for the treatment of addiction and information about becoming a buprenorphine prescriber. The bill also requires prescribers to update standards and approvals as necessary according to best practices. It would require additional coursework for physicians with a DEA license beyond the three-hour course on pain management, palliative care, and addiction treatment currently required every 3 years.

S.2834/A.821 allows estheticians, and others to perform laser hair removal with only minimal physician oversight.

SIGN UP TO RECEIVE ALERTS FROM MSSNY’S GRASSROOTS ACTION CENTER by texting **MSSNY to 52886** and you will be prompted to enter your email address. You will then be alerted when legislation and issues of importance to physicians and patients, either in the NYS legislature or in Congress, are at critical stages

MSSNYPAC - The Political Voice for NY Physicians

Supporting MSSNYPAC with a financial contribution is an important investment. If you are not a member, please consider joining along with your spouse. MSSNYPAC is a separate segregated fund established by MSSNY to engage in campaign activities in New York State. It accepts contributions from New York physicians, residents, students and Alliance members to achieve political recognition for physicians. A well-funded MSSNYPAC can support the candidates who truly understand the concerns of physicians trying to assure their patients receive the best possible care. It targets support for elected state and federal officials and candidates who advance physicians’ goals and strengthens physicians’ voice in governmental affairs. AMSSNY believes in the value of MSSNYPAC and provides a yearly contribution of \$5000.

The PAC’s structure is an Executive Committee and subcommittees for federal and state elections. Please consider joining MSSNY PAC to support advocacy efforts. Please join to help to assure that physicians have a meaningful seat at the table as health care policy is developed. An Alliance member can join for a \$100 contribution. Contact Kathy Rohrer (krohrer@mssny.org) for an application.

Health News

Helmet Update: As previously mentioned, the Alliance is seeking legislation to mandate headgear for girls' lacrosse in New York State. In Schenectady, Cheryl Stier and Helena Mirza are trying to get headgear included in "additional equipment" when parents are given a list of required equipment for the sport. US Lacrosse still views helmets as acceptable optional equipment but is waiting for data from Florida (the only state that requires headgear) prior to any decision to require headgear. An enlightening interview by Sophia and her parents is available at:

www.nbcbayarea.com/investigations/call-for-helmet-mandate-in-girls-lacrosse-gets-louder-as-concussion-concerns-mount/2229195/?_osource

Medicaid cuts: As previously reported, Medicaid physician reimbursement rates were cut by 1%. New York Medicaid physician payment is a small part of New York's overall Medicaid Budget. New York ranks 46th in the nation for reimbursement for Medicaid physician payment generally and 47th for primary care.

Staten Island Treatment Center: Richmond University Medical Center in Staten Island has opened a medication-assisted treatment center for people ages 16 to 24 who are struggling with opioid-use disorder. The opening comes about a year after the Staten Island Mental Health Society became a division of the medical center in a merger.

A substance-use program has existed for adolescents ages 11 and older and their families, said Dr. Joel Idowu, chairman of psychiatry and behavioral health sciences at the medical center. However, he said, older people with opioid-use disorder also can benefit from medication-assisted treatment.

The medical center noted in a filing with the state that opioid misuse, including heroin misuse, among adolescents and young adults has "risen dramatically in the past two decades." However, it said, treatment capacity for the population remains "extremely low," and Staten Island has the highest incidence of opioid use and related deaths in the city. The new program is aimed at addressing those gaps in care and aligning with the state's Medicaid reform priority of integrating medication-assisted treatment into primary-care settings.

Cancer: Overall cancer death rates in the U.S. fell by 2.2 percent from 2016 to 2017, the largest single-year drop ever recorded, according to a report from the American Cancer Society. The annual report estimates the numbers of new cancer cases and deaths expected this year. It also compiles the most recent data on cancer occurrence from the Surveillance, Epidemiology, and End Results Program, the National Program of Cancer Registries and the North American Association of Central Cancer Registries.

Burnout: Physicians ages 40 to 54, grouped together as Generation X, were more likely to report feeling burned out than the millennial and baby boomer doctors surveyed by Medscape. The survey was completed by about 15,000 physicians in 29 specialties. Medscape defines burnout as "long-term, unresolved, job-related stress leading to exhaustion, cynicism, detachment from job responsibilities and lacking a sense of personal accomplishment." The rate of physician burnout, at 42%, has fallen slightly from a rate of 46% five years ago. Forty-eight percent of women said they felt burned out, compared with 37% of men. About half of physicians said they would take a pay cut if it meant more free time. Bureaucratic tasks such as charting and long hours were leading drivers of stress.

Drinking: The AP reports a new federal health statistic indicates "Americans are drinking more now than when Prohibition was enacted;" moreover, "it's been rising for two decades, and it's not clear when it will fall again." The stats "show a rise in per-person consumption and increases in emergency room visits, hospitalizations and deaths tied to drinking," but teen drinking is down. "Americans drink, on average, 2.3 gallons of alcohol per year in the form of beer, wine and mixed beverages although it was reported that wine consumption was down in 2019 for the first time since 1994.

Coronavirus: While the number of cases and deaths increases daily, it is noteworthy that the outbreak has officially surpassed the 2002-2003 outbreak of severe acute respiratory syndrome (SARS) coronavirus which totaled 5327 cases in China. Researchers in *Lancet* reported on a genomic analysis of 2019-nCoV from nine patients in Wuhan, China, all of whom had a connection to the Hunan seafood market. Genetic sequences from the patients' samples were almost identical, which indicates that the virus emerged in humans very recently. The virus appears most like two SARS-like coronavirus that originated in bats. Their findings suggest that bats are the original host and an animal sold at the market might have served as an intermediate host that facilitated transmission to humans. Researchers also reported on a cluster

of 99 patients with 2019nCoV at a Wuhan hospital. Roughly half had exposure to the market. Overall, 11 patients died—all from multiple organ failure following acute respiratory distress syndrome.

US Life Expectancy: The *New York Times* reports that “life expectancy increased for the first time in four years in 2018, the federal government said Thursday, raising hopes that a benchmark of the nation’s health may finally be stabilizing after a rare and troubling decline that was driven by a surge in drug overdoses.” “Improvements in cancer mortality rates represented the single largest share of the life expectancy gain in 2018, about 30%.” “Next came the decline in so-called unintentional injuries, which includes deaths from car accidents and drug overdoses.”

The US Centers for Disease Control and Prevention’s National Center for Health Statistics reported that “Life expectancy in the United States in 2018 was 78.7—an increase of 0.1 year compared with life expectancy of 78.6 years in 2017.

Dabbing: Concentrated THC is heated up and smoked or vaped. The substance appears waxy and is also called “wax” or “glass”. A survey by Axios showed that it is well known only by younger age groups. It asked “Do You Use or know someone who does”: 50% of 18-24 years old said yes while only 32% of 25-34 year olds, 16% of 35 to 64 year olds and 3% of 64+ year olds. It is more potent than a traditional marijuana joint which has 25% THC. This substance has 90% THC. It causes heart palpitations, anxiety and panic attacks and experimentation can lead to heavier marijuana use.

Planning Calendar

Physician Advocacy Day	March 4, 2020
Doctor’s Day	March 30, 2020
AMSSNY Annual Meeting, Westchester Marriott	April 23-24, 2020
AMAA Annual Meeting, Chicago, IL	June 6-9, 2020



Member-At-Large Membership

The Alliance is doing important works within our state and across our country, taking an active voice in medical legislation and a meaningful role in health issues. The Alliance needs YOUR support in order to continue with these efforts. Though you may not have the time or inclination to become involved presently, payment of your dues will help those who are already actively engaged. If you desire to become involved, members-at-large have the opportunity to serve on the board and can be delegates to our convention. Alliance members continue to work on projects concerned with violence, internet safety, bullying, peaceful conflict resolution, awareness for the need of organ and tissue donation, health literacy, smoking cessation, the growing problem of obesity—especially in children, and many other health and legislative issues. JOIN US NOW!

If you are already a member... THANK YOU...

Don’t forget to renew. Please Print Information

Name: _____ Spouse’s Name: _____

Address: _____ County: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Work Phone: _____ E-Mail: _____

Payments of dues for county, state and national should be made directly to your county alliance (if unsure if your county Alliance is active, call 1-800-523-4405). If your County does not have an active Alliance, you may become a Member-At-Large (MAL) by sending your State (\$35) and National (\$65) dues (Total of \$100). Senior/Widows (65+ and 20 years active service) State dues are \$17.50. (\$82.50 if State and National). Please make checks payable to AMSSNY-MALs and submit to:

AMSSNY-MAL
865 Merrick Avenue
Westbury, NY 11590-9007