

**MEDICAL SOCIETY OF THE STATE OF NEW YORK
2021 HOUSE OF DELEGATES**

Report 4

**Report of the Vice Speaker
Maria Basile, MD**

The resolutions listed below were approved by the 2020 House of Delegates meeting and were referred to the MSSNY Council or the American Medical Association for action. Herewith is a report of the actions taken on those resolutions.

RESOLUTIONS REFERRED TO COUNCIL

53 (A) Separation of Clinical Portions of EHRs from Administrative and Financial Uses

Referred to Health Information Technology, discussed at February 11 meeting. A substitute resolution was sent to March 2021 Council meeting which adopted the substitute. Installed in MSSNY Position Statements as 117.962

**54 (A) End Restrictive Covenants and
55 (A) Restrictive Covenants**

Referred to Employed Physicians Committee, the Committee recommended a substitute resolution that combined 2020-54 and 2020-55. It was considered at the November 20 Council meeting which adopted the substitute resolution. It has been installed in the Position Papers as policy 155.991.

63 (A) Recommendations for Lowering Healthcare Costs

Referred to Legislation and Physician Advocacy, considered at the October 16 and January 7 meetings. Committee recommended a substitute resolution which was considered by Council at its January 14 meeting. The substitute resolution was amended and adopted and is installed as policy 110.982.

64 (A) Insurers and Vertical Integration

Referred to Health insurance Committee which recommended reaffirmation of existing policy # 165.876. Council adopted the original resolved clauses of the resolution at its April meeting and this is now listed as policy # 165.840. The resolution was sent to the June 2021 AMA meeting.

67 (A) Continuing Certification as a Condition of Employment or Reimbursement

Referred to Quality Improvement and Patient Safety Committee, a substitute resolution was put forward by the Committee and was considered at the June Council meeting. The substitute was adopted and is installed as 235.981.

69 (A) OPMC Reform

Referred to Legislation and Physician Advocacy which recommended a substitute resolution. It was considered at the January 14 meeting of Council and adopted. It is installed as policy # 250.989.

**100 (B) Role of Private Equity in Medicine and
105 (B) Wall Street Acquisition of Medical Practices**

Referred to Legislation and Physician Advocacy, these two resolutions were combined and a substitute resolution was forwarded to Council for consideration. It was adopted at the June 3 Council meeting and is now policy 155.990.

104 (B) Scientific Studies which Support Legislative Agendas

Referred to Quality Improvement & Patient Safety which recommended a substitute resolution. Council considered the substitute at the 3/1/21 meeting and adopted it. Installed in MSSNY Policy Papers as 207.954. Substitute resolved similar resolution to be submitted to Annual 21 AMA.

106 (B) Piloting the Use of Financial Incentives to Reduce Unnecessary Emergency Room Visits

Referred to Legislation and Physician Advocacy, it was considered at the October and January meetings. A substitute resolution was forwarded to Council which adopted it. The resolution will be sent to AMA with a request for study and report.

107 (B) Pharmacy Refill Requests and

114 (B) Automated Refills by Pharmacy without Patient Authorization

Referred to Preventive Medicine and Family Health. The resolutions were considered together and the committee recommended a substitute resolution which was considered at the June Council meeting. It was adopted without amendment and installed as policy 70.929.

111 (B) Physician Assistance Parity with Lawyers

Referred to Legislation and Physician Advocacy, it was discussed at both the October and January meetings. A substitute resolution was recommended which Council adopted at its January meeting. It is installed as policy # 237.995.

112 (B) Allow Anesthesiology Assistants to be Licensed in NYS

Referred to Council and then to Scope of Practice Task Force. The resolution was considered by the SOP Task Force which will be making its recommendation to the September 23 Council.

159 (PHE) Discrimination Against Physicians Using Medical Assisted Treatment

Referred to CPH, a substitute resolution was sent to the April Council meeting for consideration. It was adopted by Council and is listed as policy # 237.994. The resolution was forwarded to the June 2021 AMA meeting.

201 (ROAM) Membership Expansion and Representation of Diverse Physician Organizations

Referred to Membership Committee which considered the issue at a May meeting. A report was provided to Council and a Bylaws resolution will be submitted to the 2021 House of Delegates to address resolution 201.

203 (ROAM) Addressing Climate Crisis through Education and Action

Referred to Preventive Medicine and Family Health. The committee felt it was redundant since the White Paper on Climate change in New York state had been adopted at the January Council meeting. The committee recommended NOT to adopt. Council voted not to adopt.

Late A (B) Ensuring Correct Drug Dispensing

Referred to the Quality Committee which drafted a substitute resolution. The substitute was considered at the March Council meeting which adopted it with the addition of a resolved clause seeking the same resolution be sent to AMA in June. The resolution was installed in the Position Statements as 70.930.

RESOLUTIONS REFERRED TO AMA

SME 261 (MSSNY Resolution) Obsolete ICD and CPT Codes

This resolution was adopted by the MSSNY HOD and installed in the MSSNY Policy and Position Statements (PPS) as 305.992. It was sent to AMA for November 20 Special meeting but AMA General Counsel deemed it inaccurate/not factual. MSSNY VP for SME agreed to assist in gathering substantiating data so that the action requested could be pursued. No updates from AMA have been received on the status of the resolution.

A-101 End of Life Care Payment (N-20)

Originally MSSNY resolution 2019-274, it was sent to the March 2020 Council where it was adopted. It was sent to June 20 AMA but not accepted for consideration. It was resubmitted to the November 20 Special Meeting as priority/urgent and accepted for consideration. The resolution was referred for report by the AMA HOD.

A-102 Hospice Recertification for Non-Cancer Diagnosis (N-20)

Originally MSSNY resolution 2019-273, it was sent to the March 2020 Council, where it was adopted. It is installed in MSSNY PPS as 145.994. It was sent to June AMA but not accepted for consideration. It was resubmitted to the November 20 Special Meeting as priority/urgent, but not recommended for consideration by AMA RRC. It was not resubmitted for J-21.

A-105 Access to Medication (N-20)

Originally MSSNY resolution 105, it was referred to September Council, adopted and inserted to MSSNY PPS as 70.932. Sent to AMA for November 20 Special meeting as priority/urgent; accepted and a substitute resolution was adopted; it is inserted as AMA policy H-120.920.

A-102 Bundling Physician Fees with Hospital Fees (J-21)

Originally MSSNY resolution 258, adopted and inserted into MSSNY PPS as 265.815. Sent to AMA for November 20 Special meeting, accepted as A-106, but was NOT accepted by AMA RRC. The resolution was resubmitted to the June 2021 AMA meeting where it was recommended not to be considered. AMA policy already exists (D-385.963).

A-103 COBRA for College Students (J-21)

Originally MSSNY resolution 253, it was adopted and inserted into MSSNY PPS as 120.902. Sent to AMA for November 20 Special meeting assigned to ref com A as res 107 but was NOT accepted by AMA RRC. The resolution was resubmitted to the June 2021 AMA meeting but was not recommended for consideration.

A-108 Improving Consumer Operated and Oriented Plans (Co-Ops) as a Public Option for Health Care Financing (N-20)

Originally MSSNY resolution 62. It was adopted and entered into MSSNY PPS as 130.928. Sent to AMA for November 20 Special meeting where it was NOT accepted for consideration by AMA RRC. It was not resubmitted for J-21.

A-109 Health Insurance that Fairly Compensates Physicians (N-20)

Originally MSSNY 257 it was adopted and entered into MSSNY PPS as 120.901. Sent to AMA for November 20 Special meeting where it was NOT accepted for consideration by AMA RRC. It was not resubmitted for J-21.

A-104 Medicaid Tax Benefits (J-21)

Originally MSSNY Resolution Late D, this was sent to AMA for November 20 Special meeting as A-110 but NOT accepted by AMA RRC. It was resubmitted to the June 2021 meeting but recommended not to be considered. AMA has existing policy on this subject. (H-180.965)

A-111 Payment for Regadenson (Lexison) (N-20)

Originally MSSNY res 256 it was adopted and inserted into MSSNY PPS as 265.816. Sent to AMA for November 20 Special meeting where it was NOT accepted by RRC for consideration. It was not resubmitted for J-21.

A-112 Private Payor Payment Integrity (N-20)

Originally MSSNY resolution 266, it was adopted and inserted into MSSNY PPS as 120.899. Sent to AMA for November 20 Special meeting where it was NOT accepted by RRC for consideration. It was not resubmitted for J-21.

B-202 Cares Act Equity and Loan Forgiveness in the Medicare Accelerated/Advanced Payment Program (N-20)

Originally MSSNY resolutions EM 5 and EM 6, they were referred to the June Council, amended and adopted. The combined resolutions are inserted in MSSNY PPS as 265.818. The single resolution was sent to AMA in June 2020, and not accepted. It was resubmitted to November 20 Special Meeting, accepted; amended and adopted. Installed as AMA policy D 305.953 and D-385.951

B-203 COVID-19 Emergency and Expanded Telemedicine Regulations (N-20)

Originally MSSNY resolutions 168 and Late F, the resolutions were combined and sent to June Council. They were adopted by Council and installed in MSSNY PPS as 110.983. The combined resolution was sent to AMA for June 2020, where it was not accepted, and resubmitted to AMA for November Special meeting. It was considered with res B-205. Substitute resolution 203 was adopted, now AMA policy D-480.963.

B-207 AMA Position on All Payer Database Creation (N-20)

Originally MSSNY res 60. It has been entered into MSSNY PPS as 265.817 and was sent to AMA for November 20 Special meeting. It was NOT accepted by AMA RRC. It was not resubmitted for J-21. AMA has existing policy (D-155.987)

B-208 Insurance Claims Data (N-20)

Originally MSSNY res 260 it was entered into the MSSNY PPS as 120.896 and sent to AMA for November 20 Special meeting. NOT accepted by AMA RRC. It was not resubmitted for J-21. AMA has existing policy on the topic (H-406.990).

B-209 Physician Tax Fairness (N-20)

Originally MSSNY resolution 70 it was entered into MSSNY PPS as 240.978 and sent to AMA for November 20 Special meeting. It was NOT accepted by AMA RRC. It was not resubmitted for J-21.

B-202 Prohibit Ghost Guns (J-21)

Originally MSSNY resolution 154 it was installed in MSSNY PPS as 260.891 and submitted to AMA for November 20 Special meeting. Given ref com and resolution designation of B-210, it was NOT accepted by AMA RRC. The res was resubmitted to the June 2021 meeting where it was designated B-202 but again not approved for consideration.

D-402 Air Quality and the Protection of Citizen Health (N-20)

Originally MSSNY resolution 153 it is installed in MSSNY PPS as 90.986. It was sent to AMA for November 20 Special meeting but NOT accepted by AMA RRC. It was not resubmitted for J-21.

D-403 Support for Impairment Research (N-20)

Originally MSSNY resolution 165 it was installed in the MSSNY PPS as 260.888 and sent to AMA for November 20 Special meeting. It was NOT accepted by AMA RRC. It was not resubmitted for J-21.

E-507 Pharmacy Benefit Managers and Drug Shortages (N-20)

Originally MSSNY resolution 109 it was referred to September Council, adopted and subsequently installed in the MSSNY PPS as 70.931. It was sent to AMA for November 20 Special meeting as priority/urgent but NOT accepted by AMA RRC. It was not resubmitted for J-21.

F-603 Report on the Preservation of Independent Medical Practice N-20)

Original MSSNY resolution 207. It was installed in the MSSNY PPS as 155.993. It was NOT accepted by AMA RRC at the November 20 meeting. It was not resubmitted for J-21.

F-605 Development of Resources on End of Life Care (N-20)

Originally from the MSSNY End of Life Task Force Report on End of Life Care. Only Bullets 5 and 6 of the report were sent to AMA as a resolution. The Report is installed in MSSNY Position Papers as 145.993. The resolution was sent to AMA for November 20 Special meeting. It was NOT accepted by AMA RRC. It was not resubmitted for J-21.

G-704 Government Imposed Volume Requirements for Credentialing (N-20)

Originally MSSNY resolution 259, it was installed in MSSNY PPS as 235.982 and sent to AMA for November 20 Special meeting as priority/urgent. It was NOT accepted by AMA RRC. It was not resubmitted for J-21. There is existing AMA Policy (H-230.953).

G-705 The Quadruple Aim-Promoting Improvement in the Physician Experience of Providing Care (N-20)

Originally MSSNY resolution 163 it was installed in the MSSNY PPS as 237.998 and sent to AMA for November 20 special meeting. It was not accepted by AMA RRC. It was not resubmitted for J-21.

G-701 Physician Burnout is an OSHA Issue (J-21)

Originally MSSNY resolution 250. Installed in MSSNY PPS as 237.996 and sent to AMA for November 20 Special meeting; NOT accepted by AMA RRC, it was resubmitted to June 2021 AMA meeting but was not recommended for consideration.

G-707 Physician Well Being as an Indicator of Health System Quality (N-20)

Originally MSSNY resolution it was Installed in MSSNY PPS as 237.997 and sent to AMA for November 20 Special meeting but NOT accepted by AMA RRC. It was not resubmitted for J-21.

G-708 Reducing Prior Authorization Burden (N-20)

Originally MSSNY Resolutions 252 Reducing Prior Authorization Burden and 262 Separate Payment for Prior Authorization when not part of a Patient Encounter. Installed in MSSNY PPS as 120.897, it was sent to AMA for November 20 Special meeting but NOT accepted by AMA RRC. It was not resubmitted for J-21.

G-702 Addressing Inflammatory and Untruthful Online Ratings. (J-21)

Originally MSSNY resolution 212, it was adopted and inserted into MSSNY PPS as 270.957. Submitted to Nov 20 AMA, as G-709 it was NOT accepted by AMA RRC. It was resubmitted to June 2021 meeting it was accepted for consideration. Existing AMA policy H-406.991 Work of the Task Force on the Release of Physician Data updated as a result of adoption.