100 Certificate of Need for Ambulatory Surgery Centers Owned by Physicians

*Introduced by the Fifth and Sixth District Branches*

**AMENDED**

RESOLVED, that the Medical Society of the State of New York petition the NYS Department of Health to reconsider their guidelines with the intention of removing barriers to obtain a Certificate of Need for ambulatory surgery centers.

101 Initiation of the Physician Patient Relationship

*Introduced by the Medical Societies of the Counties of Orange, Westchester, Putnam and Rockland*

**SUBSTITUTE RESOLUTION ADOPTED**

RESOLVED, That the Medical Society of the State of New York establish as policy that the doctor patient relationship is formed when the physician first evaluates the patient and a consensual relationship has been initiated.

102 Expanding Loan Forgiveness to Primary Care Physicians

*Introduced by the Fifth and Sixth District Branches*

**REFERRED TO COUNCIL**

RESOLVED, that the Medical Society of the State of New York should support the expansion of loan forgiveness programs to include primary care physicians regardless of where they practice medicine in New York State as an important step to address the lack of primary care physicians in New York State.

103 Physicians Shortages

*Introduced by Richard Gasalberti, MD, FAAPMR&R, Queens County As an Individual*

**REFERRED TO COUNCIL**

RESOLVED, That the Medical Society of the State of New York work in conjunction with the New York City Physician Licensing Department to allow physicians to move forward with their license after one year of residency. Therefore, they can independently practice and thus offsetting the shortage of proposed primary care physicians; and be it further

RESOLVED, That the above matter be forwarded to the American Medical Association for implementation on a national level.

104 EHR Standardization

*Introduced by the Third and Fourth District Branches*

**SUBSTITUTE RESOLUTION ADOPTED**

RESOLVED, That the Medical Society of the State of New York seek legislation or regulation to require all EHR vendors in New York State to utilize standard and interoperable software technology components to enable cost efficient use of electronic
health records across all health care delivery systems including institutional and community based settings of care delivery; and be it further

RESOLVED, That the Medical Society of the State of New York transmit a copy of this resolution to the American Medical Association (AMA) for its consideration at its next House of Delegates meeting.

105
Electronic Health Record Problem Issues
Introduced by the New York County Medical Society, David Welch, MD, MD
SUBSTITUTE RESOLUTION ADOPTED

RESOLVED, That the Medical Society of the State of New York work with New York’s Congressional Delegation to assure additional federal financial incentives are provided to encourage EHR adoption of physicians; and be it further

RESOLVED, That the Medical Society of the State of New York work with New York’s Congressional Delegation to assure that physicians who use cloud based electronic health record systems are indemnified for security breaches caused by defects in such systems; and be it further

RESOLVED, That the Medical Society of the State of New York convey the urgency of this message to the AMA and encourage the AMA to work proactively with MSSNY to assure that additional federal financial incentives are provided to encourage EHR adoption by physicians and that physicians who use cloud based electronic health records systems are indemnified for security breaches caused by defects in such system.

106
Electronic Prescription of Controlled Substances
Introduced by the Third and Fourth District Branches
David Welch, MD
AMENDED

RESOLVED, That the Medical Society of the State of New York request urgent approval of electronic prescriptions for controlled substances and discontinue the requirement for “hard copy” prescriptions unless an exception to the e-prescribing mandate applies.

107
I-STOP
Introduced by the Nassau County Medical Society
ADOPTED

RESOLVED, That the Medical Society of the State of New York advocate for E-prescribing for controlled substances with the E-prescribing process being able to screen for multiple prescribers of controlled substances.

108
Pharmacists to Notify PCP of Immunization
Introduced by the Fifth and Sixth District Branches
AMENDED
RESOLVED, That the Medical Society of the State of New York seek legislation to require pharmacists to directly report to a patient’s primary care physician on the same day that a vaccine is administered.

**109** Pharmacy Practice of Medicine
*Introduced by the Third and Fourth District Branches*

**SUBSTITUTE RESOLUTION ADOPTED**

RESOLVED, That the Medical Society of the State of New York work to oppose legislation or regulation that would enable retail clinics owned by publicly traded corporations to be established in the State of New York.

**110** Supervision of Retail Clinics
*Introduced by the Third and Fourth District Branches*

**SEE RESOLUTION 109**

**111** Physician Extender Payment *
*Introduced by the Third and Fourth District Branches*

**SUBSTITUTE RESOLUTION ADOPTED**

RESOLVED, That the Medical Society of the State of New York immediately lobby our State Legislators and Congressional Delegation for an increase in physician payment commensurate with training, experience and responsibility, and be it further

RESOLVED, That the Medical Society of the State of New York lobby our State Legislators and Congressional Delegation so that physicians collaborating with or supervising physician extenders should be paid for this role because of the increased expertise they must provide and responsibility they must accept; and be it further

RESOLVED, That the Medical Society of the State of New York delegation to the AMA take to the AMA a similar resolution for immediate and high priority legislative action.

**112** Liability for Mid-Levels
*Introduced by the Queens County Medical Society*

**NOT ADOPTED**

RESOLVED, That MSSNY establish a secure data-bank where physicians may anonymously report adverse events associated with mid-level providers; and be it further

RESOLVED, That MSSNY work with our legal counsel and with our endorsed liability carrier to develop protections for physicians from liability for assuming the care of patients previously under the care of mid-level providers.

**113** Healthcare Provider Representation and Patient Protection
*Introduced by the New York State Society of Anesthesiologist, Inc. (NYSSA)*

**AMENDED**
RESOLVED, That MSSNY endorse the enactment of legislation that will establish requirements for all licensed health care providers who deliver direct care in an Article 28 licensed hospital, ambulatory surgical center, diagnostic and treatment center, or, in a private physician’s office that is accredited (OB) shall wear identification badges that in addition to current State Education Department identification requirements, also mandate containing large bold lettering indicating the practitioner’s licensure (i.e. PHYSICIAN, RN, NP, PA, etc.)

Support of Three Point Legislative Plan for Home Care
*Introduced by John Ostuni, MD, Nassau County As an Individual*

AMENDED

RESOLVED, That that MSSNY supports the Three Point Plan (Transition Support, Regulatory Relief, and Stable Fiscal Environment) to support and ensure success of State Redesign efforts and support efforts to keep MSSNY’s Long Term Care Subcommittee members informed of the progress being made in this endeavor.

Inadequacy of Available Long Term Care Insurance in NYS
*Introduced by John Ostuni, MD, Nassau County As an Individual*

SUBSTITUTE RESOLUTION ADOPTED

RESOLVED, That the MSSNY’s Long Term Care Committee meet regularly with state officials to work toward the creation of affordable LTC insurance options with clearly defined premium and benefit structure.

Affordable Long Term Care Insurance
*Introduced by the Nassau County Medical Society*

SEE RESOLUTION 115

Improve Coordination of Care between Specialists and Primary Care Physicians **
*Introduced by Michael Richter, MD, Queens County As an Individual*

ADOPTED

RESOLVED, That the Medical Society of the State of New York re-affirm MSSNY Policy 275.999.

275.999 Consultation

Physicians should obtain consultation whenever they believe that it would be helpful in the care of the patient. When a patient is referred to a consultant, the referring physician should provide a history of the care and such other information as the consultant may need and the consultant should advise the referring physician of the results of the consultant’s examination and recommendations relating to the management of the care. A physician selected by a patient is encouraged to advise the patient’s regular physician of the finding or recommendations.

Self Referral of Medical Services
*Introduced by Michael Richter, MD, Queens County As an Individual*

REFERRER TO COUNCIL
RESOLVED, That the Medical Society of the State of New York (MSSNY) advocate for legislation that would lift all restrictions on self referral for medical services, and be it further

RESOLVED, That MSSNY introduce a similar resolution to the American Medical Association House of Delegates.

119 Physicians Serving on the OPMC Hearing Committee

119 RESOLVED, That the Medical Society of the State of New York (MSSNY) seek legislation or regulation requiring that at least one of the two physicians serving on the Hearing Committee of the OPMC charged with the responsibility of listening to and reviewing written and oral testimony alleging possible physician misconduct, be in active practice and of the same or similar specialty of the physician being charged, thereby assuring that the physician in question is being truly evaluated and judged by his peers and that the facts, as presented, are reviewed based upon appropriate sound medical decisions.

120 Resolution to Allow Physicians to Receive “Dual Use” Supplies for In-Office Blood Collection

120 RESOLVED, That the Medical Society of the State of New York proposed and support new legislation allowing physicians to receive a limited supply of dual use supplies proportionate with the number of specimens received by the lab each month; and be it further

120 RESOLVED, That the Medical Society of the State of New York transmit a copy of this resolution to the American Medical Association (AMA) for its consideration at its next House of Delegates.

* Title and Resolveds amended to reflect will of House to use the term ‘payment’ or ‘paid’ in lieu of terms ‘reimbursement’ or ‘reimbursed.