

**MEDICAL SOCIETY OF THE STATE OF NEW YORK
2023 HOUSE OF DELEGATES**

Report 6

**Report of the Vice Speaker
Maria A. Basile, MD, MBA**

The resolutions listed below were approved by the 2022 House of Delegates meeting held on May 21st and 22nd, 2022. They were referred to the MSSNY Council meeting of June 23rd, 2022, or the American Medical Association for action. Herewith is a report of the actions taken on those resolutions.

Emergency Resolution 1 Emergency Need for Production of CT Contrast

Resolved that MSSNY submit the resolution to AMA in June 2022. The issue addressed was resolved by the time the AMA meeting took place and **the resolution was withdrawn by the Bronx County Medical Society. It was not submitted to AMA.**

RESOLUTIONS REFERRED TO COUNCIL

50 Non-Compete Agreements and Certain Restrictive Covenants in Professional Contracts

The June 2022 Council referred this resolution to the Legislative and Physician Advocacy Committee for study, report, and recommendation. The committee recommended a substitute resolution for adoption which Council considered at its meeting on January 26, 2023. **The substitute resolution was amended and adopted. It is in the MSSNY Policy and Position Statements as 165.839.**

51 Membership Option Tied to Medical Licensure

The June 2022 Council referred this to the Committee on Membership and also Long-Range Planning. The Committee on Membership brought the resolution to the March 13, 2023, Council meeting with a recommendation that the resolution not be adopted. **Council voted that the resolution not be adopted.**

57 Unintended Consequences of Value Based Payment Models-Conflicts of Interest

This resolution had three resolved clauses, the first two of which were adopted and have been inserted into the MSSNY PPS as 150.958. The third resolve was referred to Council for further consideration, and Council referred it to the Committee on Quality Improvement. The committee brought the resolution to the March 13, 2023, Council meeting with a recommendation that the resolution not be adopted. **Council voted that the resolution not be adopted.**

101 Creation of a New York State Independent Medical Practice Taskforce

The June 2022 Council referred this resolution to the Legislative and Physician Advocacy Committee for study, report, and recommendation. The committee brought the resolution to the March 13, 2023, Council meeting with a recommendation that the resolution not be adopted. **Council voted that the resolution not be adopted.**

111 Care Management and Social Workers

The June 2022 Council referred this to the Preventive Medicine Committee. The committee recommended a substitute resolution for adoption which Council considered at its meeting on March 13, 2023. **The substitute resolution was adopted. It is in the MSSNY Policy and Position Statements as 195.911.**

158 Prescribing Therapeutics in Times of Limited Supplies

The June Council referred this matter to the Infectious Disease Committee for study and report. The committee recommended that MSSNY Council amend MSSNY Policy 312.931 (Antiviral Medication During Catastrophic Epidemics) in lieu of the proposed resolution. **Council voted to amend MSSNY Policy 312.931 at its meeting on March 13, 2023.**

164 Breast Cancer Screening/Clinical Breast Exam Coverage

The June 2022 Council referred this resolution to the Heart, Lung, and Cancer Committee for further study and recommendations. The committee recommended a substitute resolution for adoption which Council considered at its meeting on March 13, 2023. **The substitute resolution was adopted. It is in the MSSNY Policy and Position Statements as 125.989.**

202 MSSNY Best Practice Task Force

The June 2022 Council referred this resolution to the General Membership and Long-Range Planning Committees for further study. The committee recommended a substitute resolution for adoption which Council considered at its meeting on March 13, 2023. **The substitute resolution was amended and adopted. It is in the MSSNY Policy and Position Statements as 207.948.**

258 Pharmacogenetic Insurance Coverage

Referred to the June 2022 Council meeting, where it was subsequently referred for study and recommendation by the Heart, Lung, and Cancer Committee. The committee recommended a substitute resolution for adoption which Council considered at its meeting on March 13, 2023. **The substitute resolution was amended and adopted. It is in the MSSNY Policy and Position Statements as 105.994.**

260 Concurrent Processing of Procedure Codes

Referred to the June 2022 Council, it was subsequently referred to the Legislative and Physician Advocacy Committee for further study and recommendation. The committee recommended a substitute resolution for adoption which Council considered at its meeting on January 26, 2023. **The substitute resolution was adopted. It is in the MSSNY Policy and Position Statements as 120.888.**

Late Resolution B – Prior Authorizations by ‘Denials Companies’

Referred to the June 2022 Council, it was subsequently referred to the Legislative and Physician Advocacy Committee for further study and recommendation. The committee recommended a substitute resolution for adoption which Council considered at its meeting on January 26, 2023. **The substitute resolution was adopted. It is in the MSSNY Policy and Position Statements as 165.838.**

RESOLUTIONS REFERRED TO AMA

The following resolutions were adopted at the 2022 MSSNY House of Delegates and were forwarded to the AMA for national consideration.

52 COVID Hazard Pay

This substitute resolution was adopted by the 2022 HOD and is installed in the MSSNY PPS as 265.808. It was further submitted to the 2022 AMA Interim for consideration and was placed in reference committee B as Resolution 213. **AMA Policies D-130.970 and D-390.947 were reaffirmed in lieu of the resolution.**

54 Protecting State Medical Licensing Boards from External Political Influence

Adopted by the MSSNY HOD, this resolution was installed in the PPS as policy 160.958. It was sent to the AMA Interim and was placed in reference committee C as Resolution 304. **The resolution was amended and adopted and is installed as AMA policy D-270.984.**

59 Fair Health Database

Adopted by the MSSNY HOD, it was installed in the PPS as policy 265.807. It was forwarded to the 2022 AMA Interim meeting and considered as part of reference committee H as Resolution 802. **The resolution was amended and adopted with a title change: Independent Databases of Allowed Amounts and Charges. It was installed as AMA Policy D-70.941.**

151 Increase Credit for CME Preparation for Physicians

Installed in the MSSNY PPS as 50.984, this resolution was also sent to the AMA Interim meeting for consideration. It was referred to reference committee C as Resolution 306. **The resolution was amended and adopted with a title change: Increased Credit for Continuing Medical Education Preparation. It was installed as AMA Policy D-300.975.**

160 Requirements for COVID-19 Vaccination at Public Schools

Installed in the MSSNY PPS as policy 312.964, it was forwarded to the 2022 AMA Interim for consideration. It was referred to reference committee K as Resolution 906. **The ref com recommended amendments and it was adopted as amended. It is appended to existing AMA policy H-135.949.**

211 – MSSNY and AMA Recognize the 2022 Bicentennial Celebration of the Medical Society of the County of Kings

The resolution was adopted by the MSSNY HOD and entered into the Position Statements as 207.949. A letter was sent to Dr. Madara, EVP of the AMA on September 15 asking that the bicentennial of Kings County be recognized in an appropriate way by the American Medical Association.

253 Patient Centered Medical Home Administrative Burdens

Adopted by the MSSNY HOD this policy was installed as 262.991. It was sent to the Interim AMA meeting for consideration and placed in reference committee J as Resolution 803. **AMA Policy D-405.972 was reaffirmed in lieu of the resolution.**

256 CMS Innovation Projects

Adopted by the MSSNY HOD this policy was installed as 195.912. It was sent to the Interim AMA meeting for consideration and placed in reference committee J as Resolution 804. **AMA Policies D-385.950 and H-330.894 were reaffirmed in lieu of the resolution.**

Due to the Covid-19 Pandemic, the AMA meetings in 2020 and 2021 were conducted under special rules and were deemed “Special Meetings” rather than “House of Delegates.” Because of a prohibition on travel and large group gatherings, the Special Meetings were conducted virtually. The nature of virtual meetings required that the business considered by AMA delegates be only the most important and critical resolutions and issues. Therefore, a Resolution Review Committees rated resolutions on their urgency and priority. Many resolutions, including those submitted by New York, were not recommended for consideration at those meetings. The June 2022 AMA Annual Meeting accepted ALL resolutions not previously considered and all resolutions from New York were resubmitted. Below is a report of the actions taken on MSSNY resolutions which waited to be considered in June of '22:

MSSNY 2021-101 - Fifteen Month Lab Orders

MSSNY policy 120.893. Forwarded to the November 2021 Special Meeting of the AMA, it was assigned to ref com G as resolution 707 but was not recommended for priority consideration. The resolution was resubmitted to the June 2022 AMA meeting and was again in G as resolution 705. **It was adopted as submitted and is now AMA policy D-260.991.**

MSSNY 2021-106 – Medicare Advantage Plan Mandates

MSSNY policy 195.913. Forwarded to the November 2021 Special Meeting of the AMA, it was assigned to ref com B as resolution 230 but was not recommended for priority consideration. The resolution was resubmitted to the June 2022 AMA meeting and was placed in ref com B as resolution 206. **Policy H-285.905 was reaffirmed in lieu of the resolution.**

MSSNY 2021-200 – September 11th as a National Holiday

MSSNY policy 207.953. Forwarded to the November 2021 Special Meeting of the AMA, it was assigned to ref com F as resolution 611 but was not recommended for priority consideration. The resolution was resubmitted to the June 2022 AMA meeting and considered in Ref Com F as resolution 603. **It was adopted with a title change: September 11th as an Annual Day of Observance. It was installed as AMA Policy H-445.983.**

MSSNY 2021-201 – UN International Radionuclide Therapy Day Recognition

Installed in MSSNY position papers as 207.952. Forwarded to the November 2021 Special Meeting of the AMA, it was assigned to ref com F as resolution 612 but was not recommended for priority consideration. The resolution was resubmitted to the June 2022 AMA meeting and accepted in ref com F as resolution 604. **It was considered with resolution 624 and resolution 624 was adopted in lieu of 604. It is installed as AMA policy D-445.996.**

MSSNY 2021-250 – Insurance Coverage for Scalp Cooling (Cold Cap) Therapy

Installed in MSSNY position papers as 120.895. Forwarded to the November 2021 Special Meeting of the AMA, it was assigned to ref com G as resolution 708 but was not recommended for priority consideration. The resolution was resubmitted to the June 2022 AMA meeting where it was accepted as resolution 707 in ref com G. **In lieu of the resolution, policies H-155.960, D-185.979, H-320.942, H-285.998, H-320.995, and H-185.964 were reaffirmed.**

MSSNY 2021-254 CPT Denials/ Service/ Preauthorization Denials and MSSNY 2021- 255 Prior Authorization – CPT Codes for Fair Compensation

Two resolutions with similar content were combined for consideration at the MSSNY HOD and adopted. They were installed in the MSSNY position papers as a single policy 305.991. A resolution reflecting the intent of both resolutions was forwarded to the November 2021 Special Meeting of the AMA where it was considered as resolution 709. It did not meet the priority threshold and was not considered at the meeting. It was resubmitted to the June 2022 AMA meeting as resolution 710. **The following policies were reaffirmed in lieu of the resolution: H-385.951, H-320.968, H-320.939, and D-320.982.**

MSSNY Council 4/2021 - Medical Education Debt Cancellation in the Face of a Physician Shortage During the COVID Pandemic

Considered by the MSSNY Council at its April 2021 meeting, Council adopted the resolution. It is installed in MSSNY Position Papers as 85.944. Council forwarded the resolution to the AMA for the J-21 meeting where it was not accepted by the review committee. It was submitted again for N-21 but was not given priority consideration at either meeting. The resolution was resubmitted to the June 2022 AMA meeting where it was accepted as res 301 in ref com C. **The resolution was amended and adopted and is installed as AMA policy D-305.951.**

2020-60 – AMA Position on All Payer Database Creation

Installed as MSSNY policy 265.817. The resolution was sent to AMA for I-20 and A-21 but was not considered priority at any of those meetings. It was resubmitted to the A-22 meeting and was referred to ref com B as resolution 202. **AMA policy H-225.964 was reaffirmed in lieu of 202.**

MSSNY 2020-62 Consumer Operated and Oriented Plans (CO-OPs) as a Public Option for Health Care Financing

Installed as MSSNY Policy 130.928. The resolution was sent to the I-21 meeting but was not accepted as a priority item. It was resubmitted to the A-22 meeting where it was accepted as res 104 in ref com A. **The following policies were reaffirmed in lieu of the resolution: H-165.823 and H-165.838.**

MSSNY 2020-64 - Insurers and Vertical Integration

Installed as MSSNY policy 165.840 after consideration at the April 2021 Council meeting where the original language was adopted. Originally from the MSSNY HOD-20, it was submitted to June 21 AMA and was placed in ref com B as res 204. It was not a priority consideration and was resubmitted to N-21 where it again was not considered. The resolution was resubmitted to the June 2022 AMA meeting where it was placed in ref com B as resolution 205. **It was not adopted.**

MSSNY 2020-70 Physician Tax Fairness

Installed as MSSNY policy 240.978. The resolution was submitted to the I-20 and A-21 AMA meetings but was not considered a priority item. It was resubmitted for June 2022 and was accepted in ref com B as resolution 207. **It was not adopted.**

MSSNY 2020-153 Air Quality and the Protection of Citizen Health

Resolution 153 was adopted with a title change at the 2020 MSSNY HOD and installed in the MSSNY PPS as 90.986. It was sent to AMA for the N-20 Special meeting but NOT accepted by AMA RRC. It was not resubmitted to AMA until A-22. It was referred to ref com D as res 401. **The ref com recommended amendments and it was adopted as amended. It is appended to existing AMA policy H-135.949.**

MSSNY 2020-165 Support for Impairment Research

Resolution 165 was adopted by the 2020 MSSNY HOD and is installed as policy number 260.888 in the MSSNY PPS. It was sent to AMA for consideration at the I-21 meeting but was not accepted as a priority item. It was resubmitted for the A-22 meeting where it was accepted in ref com D as resolution 402. **It was not adopted.**

AMA Res 710 - Physician Burnout is an OSHA Issue

Originally MSSNY res 250 at the 2020 HOD. It was submitted to the N-20 meeting but not accepted. It was resubmitted for J-21 and N-21 AMA meetings but was not considered a priority resolution. The resolution was resubmitted to the June 2022 AMA meeting, where it was considered in reference committee G as resolution 708. **It was not adopted.**

MSSNY 2020-Late D– Medicaid Tax Benefits

Adopted by the 2020 MSSNY HOD. It was submitted to the N-20 meeting but was not accepted. It was resubmitted to both the J-21 and N-21 AMA meetings but was not given priority consideration at either meeting. The resolution will be resubmitted to the June 2022 AMA meeting and accepted as res 107 in ref com A. **The following policies were reaffirmed in lieu of resolution 107: H-160.969, H- 180.965, H-290.982.**

MSSNY 2020-154 – Ghost Guns

MSSNY Policy 260.891. It was submitted to AMA for the N-20, J-21, and N-21 meetings but was not given priority consideration at any of the meetings. The resolution was resubmitted in June 2022 and accepted in ref com B as resolution 208. **It was adopted with a title change (Regulation of Homemade Firearms) and installed as policy H-145.967.**

MSSNY Council – Opposition to Discriminatory Treatment of Haitian Asylum Seekers

This resolution was introduced to the MSSNY Council at the November 4, 2021, meeting. It was amended and adopted and was installed in the MSSNY Position Statements as 285.984. It was forwarded to the AMA for consideration at the Interim '21 meeting but was not considered as a priority item at that time. It was resubmitted for the June 2022 meeting where it was referred to the Constitution and Bylaws Committee and considered as resolution 002. **It was adopted and is installed as AMA Policy H-350.951.**

MSSNY Council - Ban the Gay/Trans (LGBTQ+) Panic Defense

Considered by Council at its April '21 meeting, it was adopted and forwarded to the AMA. Originally submitted in June 2021 as resolution 232 it was not accepted as a priority item. It was resubmitted in November 2021 where it again was not considered a priority. The resolution was resubmitted to the June 2022 AMA meeting as Res 203 in ref com B where it was amended and adopted. **It reaffirmed policy H-65.965 and was added as AMA Policy D-65/986.**

MSSNY 2020-253– COBRA for College Students

Resolution 253 was adopted by the 2020 HOD and is installed in MSSNY PPS as policy 120.902. It was sent to AMA for consideration at N-20, but not accepted as a priority item. It was resubmitted to both the J-21 and N-21 meetings but again was not given priority consideration at either meeting. The resolution was resubmitted to the June 2022 AMA meeting where it was accepted as resolution 103 in ref com A. **The ref com recommended that it not be adopted, and the House approved that motion.**

MSSNY 2020-257 Health Insurance that Fairly Compensates Physicians

Adopted at the MSSNY HOD it is installed as MSSNY policy 120.901. It was sent to the I-20 AMA meeting but did not meet the priority threshold. It was resubmitted to the A-22 meeting where it was accepted as res 105 in ref com A. **The following policies were reaffirmed in lieu of res 105: H-390.846, H-400.957, and D-405.988.**

MSSNY 2020-258 Bundling Physician Fees with Hospital Fees

Installed in the MSSNY position papers as 265.815. It was sent to the N-20 AMA meeting, sent to ref com A as res 106 but was not accepted as priority. It was resubmitted to both the June-21 and November-21 meetings but remained unconsidered. The resolution was resubmitted to the June 2022 AMA meeting. It was in ref com A as resolution 102. **Policy D-390.961 was reaffirmed in lieu of the resolution.**

MSSNY 2020-260 Insurance Claims Data

Installed as MSSNY policy 120.896. The resolution was forwarded to the N-20 and A-21 AMA meetings but was not accepted as a priority item. It was resubmitted to the A-22 meeting and was included in ref com B as resolution 204. **Policy H-315.962 was reaffirmed in lieu of 204.**

MSSNY 2019-273 Hospice Recertification for Non-Cancer Diagnosis

The resolution was referred to Council where it was adopted at the March 5, 2020, meeting. It was forwarded to the AMA for consideration at the I-20 meeting but did not meet the priority threshold. It was resubmitted to the A-22 meeting where it was considered in ref com A as res 106. **Policy H-85.955 was reaffirmed in lieu of the resolution.**