

# Rhode Island Medical Society Council

Meeting of Monday, February 4, 2013

## \*\*\*Meeting Highlights\*\*\*

**RI Health Benefits Exchange** Rhode Island's Exchange is under construction and slated to begin limited operations late this year. Christine C. Ferguson, who was appointed by Governor Chafee in June 2012 to head the Exchange, told the RIMS Council that physicians have a valuable window of opportunity to influence the structure and policies of the Exchange as it is being formed. She invited the RIMS Council and the Medical Society to contribute to shaping the Exchange so that doctors and patients will be well served by it in the future.

The Exchange has a 13-member "Advisory Board," where Dr. Pamela McKnight and now Dr. Peter Howland have represented RIMS. It also has a 22-member "Expert Advisory Board" where RIMS' President-Elect Elaine Jones, MD, represents RIMS; RIMS' Secretary Elizabeth Lange, MD, represents Coastal Medical; and former RIMS President Nick Tsiongas, MD, MPH represents HealthRight. RIMS will consider additional avenues for contributing physicians' perspectives to the design of the Exchange.

**COOP Project** RIMS has been collaborating with the Connecticut State Medical Society to bring a "Consumer Operated and Oriented Plan" (COOP) to the RI insurance market and to the future RI Exchange. The application for a RI COOP was submitted to CMS before the Dec. 31, 2012, deadline. However, all additional COOP projects nationwide were defunded as a result of the "fiscal cliff" negotiations in the final days of 2012. The RIMS/CSMS COOP project is therefore dead.

**Attestation lawsuit** The Rhode Island Nurse Practitioner Alliance has joined the RI Academy of Physician Assistants and RIMS in the ACLU-sponsored lawsuit contesting the Health Department's new policy, announced in August, that henceforth only physicians' signatures can validate attestations for patients whose diagnoses qualify them for access to medical marijuana under RI state law. Previously PAs and nurses could sign the attestations.

**Prior authorization** This perennial issue has ballooned suddenly in a new way. BCBSRI's change of Pharmacy Benefit Manager (PBM) from CVS Caremark to Catamaran (Illinois) as of January 1 may have been fumbled by Catamaran and may also have coincided unfortunately with other factors (e.g., the municipalities changing their formulary). As a result, practices have been inundated with redundant prior authorizations. Practices complain that the high volume of authorizations is exacerbated by long wait times, poor communication and poor service by Catamaran.

**Cost profiling** In direct meetings with the senior medical director and with the CEO of BCBSRI, RIMS has criticized the methodology of the company's new cost profiling program. In particular, RIMS questions the value of cost data presented in the absence of

quality data and urges that the program at least be postponed until quality data can be provided. The program affects orthopedic surgery, cardiology, invasive cardiology, gastroenterology and dermatology.

In light of continuing concerns expressed by the Council at this meeting, Dr. Adrain directed that RIMS' concerns and recommendations be restated in a written memorandum to BCBSRI.

**RI Board of Medical Licensure** The RI BMLD follows AMA policy that physicians may not prescribe controlled substances for family members except in an emergency. Some ambiguity has arisen recently as to whether the Board's proscription (described as "zero tolerance" by the Board's attorney) extends to non-schedule drugs. RIMS' legal counsel has clarified with the Board's counsel that only schedule drugs are included in the prohibition. However, the BMLD may revisit this question. RIMS will continue to follow this matter.

**Legislative advocacy** Dr. Migliori noted that the Public Laws Committee met on Dec. 5 and will meet again on February 20 and April 25. All are welcome. Specialty societies' concerns and suggestions are especially sought.

RIMS' reception for newly-elected state legislators on January 15, 2013, was well attended. Attendees included the Speaker and Majority Leader of the House.

**RIMS Insurance Brokerage Corporation** Dr. Hollmann reported, as President of the RIMS-IBC, that the amendments approved by the Council in December have now been finalized and signed by RIMS, IBC and NORCAL Mutual.

**RIMS' bicentennial** Dr. Siedlecki reminded Councilors that Prof. Steven Pinker of Harvard will speak on Wednesday, Feb. 13, and Prof. Paul Glimcher of NYU will speak Monday, March 4. These two events, part of the Society's bicentennial series of public lectures on "Neuroscience and Society," were rescheduled from last fall because of Hurricane Sandy. The series is a collaboration with the Brown Institute for Brain Science and the Norman Prince Neurosciences Institute.

**Rhode Island Medical Journal** The changes in RIMS' monthly journal effective January 1 have been well received. The publication is much expanded and diversified. It has also become more attractive visually with fresh design and greater use of photographs and color. Known as *Medicine & Health/Rhode Island* since 1996, the journal reverted to its original, historic name as of January 1, 2013, and has become "green," being published only electronically.

**Physician Health Program** The Executive Director announced that the position of Director of the Program, vacant since December 7, has been filled. The successful candidate is Kathleen Boyd, LICSW. She succeeds Rosemary Maher, LICSW, who directed the program for 12 years.

The Council received a written report in December 2012 with statistical summaries of the work of the RIMS Physician Health Program for the past several years.