

Rhode Island Medical Society Council

Meeting of Monday, October 21, 2013

Meeting Highlights

Senator Christopher J. Ottiano, MD, who is the only physician member of the Rhode Island General Assembly, discussed how physicians can best work with the General Assembly.

He stressed the importance of building personal relationships based on trust and respect as the key to political effectiveness. As an elected official, he cultivates such relationships with his constituents and with his Senate colleagues. He advised physicians to cultivate such relationships within their own communities and with their elected representatives for the good of medicine. He commended RIMS for building and maintaining strong relationships with members of the General Assembly; RIMS does so, he said, by consistently demonstrating integrity and political maturity, and being known to legislators as a source of balanced information.

He noted that physicians as individuals are perceived at the State House as politically unengaged citizens who too often fail to vote, give to campaigns or participate in the local electoral process. He described how the validity of this perception has borne itself out in his own experience and in his own district.

He observed that physicians command strong credibility among legislators and with the public when they support RIMS' public health initiatives (tanning salons, sugar-sweetened beverages, seat belts, motorcycle helmets, tobacco control, drug overdose prevention, etc.), but that they have less credibility in matters relating to their economic self-interest. This is because physicians are perceived as relatively high earners who are out of touch with the economic lives of average citizens, he said.

With regard to the dynamics of the General Assembly, Dr. Ottiano asserted that party affiliation is not meaningful. He noted that the body of legislators who have won election as Democrats (91% of the General Assembly) spans a broad ideological spectrum. Many of these Democrats, he said, are in some ways more conventionally conservative than Dr. Ottiano himself, who is a Republican.

In response to a comment about liability reform, Senator Ottiano emphasized that the deck is heavily stacked against legislation in that area. In particular, any such legislation would have to pass through the Senate Judiciary Committee, which is perennially and overwhelmingly hostile to medical liability reform of any kind. Dr. Ottiano likened the likelihood of success of liability reform legislation to asking the RIMS Council to vote in favor of an 80% cut in Medicare's Part B payment rates.

UnitedHealthcare Medicare Advantage terminations RIMS has engaged the Health Department, the Health Insurance Commissioner, the Congressional Delegation, the AMA, neighboring state medical societies, and the Centers for Medicare and Medicaid Services, as well as UnitedHealthcare itself regarding the surprise wave of terminations received by hundreds of RIMS members from United's Medicare Advantage network since early October. RIMS has alerted the membership and is providing advice to

members for framing their appeals and a template for communicating with their patients. RIMS has brought media attention to the story (radio, television and print).

United has not disclosed what criteria or algorithm it is currently employing in narrowing its Medicare Advantage networks in RI, CT, FL, NY, NJ, IN and perhaps other markets. RIMS will continue to engage this matter.

The RIMS Council also:

- Heard an update on the lawsuit by RIMS, the RI Academy of Physician Assistants and the RI State Nurses Association challenging the Health Department's infringement upon the "**universal signature**" law, which enables physicians to delegate signatures.
- Heard an update on the state's new **Health Benefits Exchange** ("HealthSource RI"). In the first 19 days, the Exchange website received 65,565 unique visitors, the call center fielded 12,168 calls, and 802 people visited the walk-in centers. 7,481 individuals have created accounts, and 2,652 applications have been completed and processed, though not everyone has paid the premium, which is due December 15. The proliferation of high-deductible plans, both on the exchange and elsewhere, presents a growing potential danger to medical practices.
- Reviewed recent revelations of CVS' plans to introduce **MinuteClinics** in Rhode Island. The Council discussed retail-based clinics' incompatibility with statewide priorities and public health interests.
- Reviewed results of the 2013 General Assembly session. Against strong opposition from payers, **RIMS succeeded in shortening the permissible look-back** for post-payment recoupments from 2 years to 18 months.

Other actions by the RIMS Council

- Elected Trustees of the **RIMS Foundation** for 2013-2014: Dr. Elaine Jones, Dr. Alyn Adrain, Dr. Gary Bubly, Dr. Nitin Damle and Dr. Jose Polanco. The newly elected Trustees convened to elect officers after the Council adjourned: Dr. Adrain, President; Dr. Polanco, Secretary-Treasurer.
- Voted to **maintain the present membership dues** structure unchanged at current levels through 2014.
- Voted to extend the option of **discounted membership to groups of 5** or more. (The previous threshold was 10 or more.)
- Updated Council members' **leadership disclosures** ("conflict of interest" forms).