

Rhode Island Medical Society Council

Meeting of Monday, February 3, 2014

Meeting Highlights

UnitedHealthcare Medicare Advantage terminations

The February 2014 edition of the *Rhode Island Medical Journal* carries a new commentary by Dr. Jones (her fourth regarding UnitedHealthcare), this time focused on the public hearing that was conducted on January 22 at the Connecticut State House by Senators Sheldon Whitehouse (D-RI) and Richard Blumenthal (D-CT) on the United matter. UnitedHealthcare elected not to send a representative to the hearing. Testimony was offered by RIMS member Raymond Welch, MD, of Providence, among several others, regarding the damage done to patients and patient care by United's unheralded narrowing of its Medicare Advantage physician network in Rhode Island and several other states.

RIMS is among the participants (along with AMA and many other medical societies) in the *amicus* brief that has been submitted to the Second Circuit advising the court that the injunction issued by a federal district court in Connecticut in December should be upheld and United's appeal should be denied.

However, according to an analysis performed by RIMS' legal advisors, even complete success before the Second Circuit can do little more than merely delay the terminations of approximately 2,250 physicians in two Connecticut counties while stoking public confusion.

Attestation lawsuit The Council heard a status report on the legal challenge mounted by the RI Academy of Physician Assistants, RIMS, and the RI State Nurses Association in opposition to the Health Department's arbitrary infringement upon the "universal signature" law, a statute which empowers physicians to delegate signatures and facilitate practice workflow.

Proposed pain management regulations RIMS is in discussion and correspondence with the Department of Health regarding this and other matters in which RIMS finds that the Department is overreaching its regulatory authority and creating problems.

MinuteClinic Applications for licensure of seven new "MinuteClinics" in Rhode Island were deemed to be incomplete and were returned by the Health Department for revision and resubmission. RIMS is consulting and coordinating with other organizations (ACP, AAP, the Primary Care Physicians Advisory Council, among others) in formulating RIMS' policy regarding the appropriate scope of activity for these CVS-owned entities.

SGR The Council reviewed a grid comparing the provisions of three federal legislative bills currently before Congress and contrasting them with the current situation. Each of the bills presents certain problems, but all would substantially improve upon the status quo and would finally eliminate Medicare's troublesome and disruptive Sustainable Growth Rate (SGR) formula.

Worker's Compensation Fee Schedule The entire schedule will be replaced in a few weeks with a new one based on a relative value scale. The Orthopedic Society initiated the change.

Sunshine Act As required by the ACA, data regarding payments to physicians by manufacturers of pharmaceuticals and medical devices will become public on September 30, 2014, through a federal website. Physicians can review and correct their own data before it is released by accessing <http://projects.propublica.org/docdollars/states>. The AMA provides guidance and information through www.ama-assn.org/go/sunshine.

Healthcentric Advisors Dr. McKenney reported on changes mandated by CMS that open a new chapter in the history of Healthcentric Advisors (HCA). (HCA is the Quality Improvement Organization for Rhode Island under contract with CMS. HCA was founded by RIMS in 1995 as Rhode Island Quality Partners.) CMS intends to consolidate its 53 state and territory QIO contracts into a smaller, unspecified number of multi-state contracts; HCA is collaborating with the QIOs in Massachusetts and Connecticut on a proposal to consolidate the six New England states under one lead QIO; under the proposal, which is due at CMS on February 21, HCA would become the lead QIO for the six New England states.

"Eleventh Hour" Education Event, Saturday, May 17, 2014 Just in time for licensure renewal, RIMS has organized an opportunity for physicians to complete their state-mandated CME. The event will take place at the Crowne Plaza in Warwick. Ms. Turcotte asked Council members to help identify and recruit potential exhibitors.

RIMS Physician Health Program The Council received a written report on the activity of the RIMS Physician Health Program during 2013. In its entire 35-year history, the Program has opened 579 cases for consultation, evaluation, advocacy and monitoring for physicians, dentists, podiatrists and physician assistants. In 2013, 30 cases were opened and a total of 69 are currently active. Dr. Herbert Rakatansky is chair of the Physician Health Committee. Kathleen Boyd, MSW, LICSW, is Director.

Strategic planning for RIMS Dr. Jones led the Council in initial steps of a process of institutional self-examination for the Society. Results of a recent electronic survey of the Council served as a springboard for discussion. Emerging themes included the changing environment of medical practice, trends within the profession, and RIMS' role as an advocate for patients, physicians and good public policy in healthcare. Dr. Jones has charged the Executive Committee to use its regular March 3 meeting and a special retreat, which is to be held on Saturday, March 8, to generate a strategic plan to serve and guide the Society for the next three years. She will report back to the Council in April.