



MLCMS News Briefs

The monthly newsletter of the Mendocino-Lake County Medical Society

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CMA heads to Washington to work for changes in Senate health bill

As the US Senate begins debating health reform legislation, CMA leaders are heading to Washington, DC, to ensure reform delivers on its promise of providing patients access to a doctor when they need it.

CMA has encouraged lawmakers all year long to craft a workable plan that provides universal access to health care. While CMA supports meaningful health reform, and the general thrust of legislation passed last month by the House of Representatives, the CMA Executive Committee opposes the Senate bill as currently written.

"There is no way health care reform can work if patients can't get access to a doctor," said CMA President Brennan Cassidy, MD. "The Senate bill fails to fix major problems in Medicare and Medicaid, which currently suffer from chronic underfunding that undermines access and continues to undermine the success of these government programs.

"As physicians, we remain committed to meaningful reform that best serves our patients. Building reform on the foundation of Medicare and Medicaid can only work if that foundation

is sound, and unfortunately both programs need major improvements and better funding to function properly.”

Reminder: Dues payment discount expires Dec. 31

MLCMS members are reminded to return their dues invoices, which were mailed earlier this fall. Members who pay their dues by Dec. 31 qualify for a 5% discount. Payments need to be at MLCMS by Dec. 31; **there is no grace period.** Almost half the MLCMS membership has already qualified for the discount, and there’s still enough time for the other half to qualify as well.

If you need a copy of your invoice or have any questions about dues, contact Rachel Pandolfi at rachel@mlcms.org or 525-4375. Nonmember physicians can complete a simple online application for MLCMS and CMA at mlcms.org/join.asp.

MLCMS members approve new bylaws

MLCMS members have unanimously approved the new bylaws proposed by the board of directors. The bylaws are legally binding rules that outline how MLCMS is governed. They contain policies for term limits, committee structure, conflict of interest, resignation and removal of officers and directors, meeting attendance and notification, duties of officers, indemnification of officers, and the board’s procedures for conducting its order of business.

All MLCMS members had a chance to vote on the bylaws this fall, and 100% of the ballots returned were in favor. The board will officially approve the bylaws at its next meeting.

Veterans clinic to open in Clearlake in fall 2010

An estimated 8,000 veterans living in Lake County will be able to access medical care at a new VA clinic in Clearlake next fall, pending renovation of an 8,600 square foot facility on Lakeshore Drive. The satellite clinic, to be managed by the San Francisco VA Medical Center, will offer primary care and mental health services, along with telemedicine links for specialty care.

The new clinic will allow Lake County veterans to get care closer to home rather than having to travel to San Francisco or to the VA outpatient clinics in Ukiah and Santa Rosa.

Dr. Marvin Trotter to resign post as Mendocino public health officer

Dr. Marvin Trotter, who served as Mendocino County’s part-time public health officer for more than a decade, will leave the post in February but continue working as an emergency medicine specialist and hospitalist at Ukiah Valley Medical Center. Mendocino County supervisors are expected to replace Trotter with a full-time health officer.

In a press release, Dr. Trotter observed, “I have great respect for the daily commitment to provide competent and professional services to the community. Everyone here does what they do because they are passionate about improving the lives of others.”

Medicare delays implementation of PECOS enrollment policy

The Centers for Medicare & Medicaid Services (CMS) will delay implementation of new rules that authorize Medicare to reject claims if an ordering physician has not reenrolled in

Medicare via the agency's web-based PECOS enrollment system. Enforcement of the new rule, scheduled to begin on Jan. 2, will be delayed until April 5.

CMA has been pushing for a delay to this policy, which could negatively impact thousands of physicians and other health care providers. If the rule were enforced today, thousands of otherwise acceptable Medicare claims would go unpaid merely because they were submitted by providers who enrolled in Medicare before November 2003, when the PECOS database was developed.

According to CMS, the extension will give physicians and other health care providers sufficient time to reenroll in Medicare, if necessary. Physicians who have not updated their enrollment information since 2003 may need to fill out another enrollment application. To confirm your status in the PECOS system, call Palmetto at 866-931-3901.

Blue Shield delays plans to publish physician rankings

Blue Shield has delayed plans to publish physician rankings based on data from the California Physician Performance Initiative (CPPI). Two other insurers involved in the CPPI project, Anthem Blue Cross and United Healthcare, have yet to announce their plans. Over the past two years, CPPI has used claims data from all three insurers to measure physicians on a set of quality measures.

CMA and many other organizations have repeatedly expressed their concerns with the validity and accuracy of the data that has been collected. Results of CPPI's own reconsideration process in 2009 found significant inaccuracies, with 33% of physician scores being overturned.

Because the CPPI program relies solely on claims data, it fails to comprehensively document the care a patient receives or the reasons why a patient may not receive care. Blue Shield, which originally planned to give digital "blue ribbons" in December to physicians who scored in the top 50th percentile, has postponed action until CPPI meets with CMA and other stakeholders after the holidays.

AMA adopts several California resolutions at November meeting

Delegates at the interim AMA meeting in November adopted several California resolutions. Among the highlights:

- **E-prescribing of scheduled medications.** Supports action requiring that the Drug Enforcement Administration move expeditiously to establish reasonable requirements enabling the use of e-prescribing for controlled substances.
- **Federal payment for emergency services for undocumented immigrants.** Supports federal legislation to extend Section 1011 of the Medicare Modernization Act, which provides for federal funding to the states for emergency services provided to undocumented immigrants.
- **Physician supervision over certified registered nurse anesthetists.** Urges the federal government to repeal the opt-out provision of the Medicare Conditions of Participation that eliminated the long-standing requirement that certified registered nurse anesthetists practice under direct physician supervision.

Red Flag Rule delayed to June 2010; bill introduced to exempt physicians

For the third time, the Federal Trade Commission has delayed enforcement of the Red Flag Rule, which requires some physician practices to develop and implement identity-theft detection and prevention programs. The rule is now scheduled to take effect in June 2010.

Several factors appear to be causing the delays, including objections from organized medicine, accountants and attorneys. The American Bar Association recently won a lawsuit in federal court holding that the rule could not be applied to attorneys, a decision that may impact enforcement of the rule with physicians.

A bill (HR 3763) recently introduced in Congress would create an exemption from the rule for health organizations, including physician practices, with 20 or fewer employees.

State resurrects regulations that would expand scope of nonphysicians

The California Department of Public Health (CDPH) has resurrected previously rejected regulations that would potentially expand the scope of practice of psychologists and all other health care practitioners working in licensed health care facilities. Although the California Office of Administrative Law rejected the regulations in October, state law allows CDPH to submit a revised proposal within 120 days. CDPH has made minor revisions to its proposal and has opened a second 15-day comment period.

The regulations—which are intended to clarify state law as it applies to medical staff membership and privileges for psychologists—would weaken medical staff self-governance rights and could be broadly interpreted to allow unqualified health care professionals to carry out the duties of a physician or surgeon.

The proposed regulations could, among other things, allow nonphysician practitioners to admit patients, perform medical examinations, place patients in restraints, complete medical records, coordinate care, and order transfers. The regulations would also circumvent the self-governance rights of medical staffs to establish and enforce the rules, regulations, criteria, and standards for medical staff membership and privileges.

APPLICANTS

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CLASSIFIEDS

How to submit a classified ad

To submit a classified ad for MLCMS News Briefs, contact Nan Perrott at nperrott@rhscommunications.com or 707-525-4226. The cost is one dollar per word.

ABOUT MLCMS

The Mendocino-Lake County Medical Society, a 501(c)(6) nonprofit association, supports local physicians and their efforts to enhance the health of the community. Founded in 1938, MLCMS is affiliated with the California Medical Association and the American Medical Association.

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