

MINUTES
MSSNY Council Meeting
Thursday, September 15, 2016, 9:00 a.m.

A meeting of the Council of the Medical Society of the State of New York was convened at 9:00 a.m. on Thursday, September 15, 2016 at the Courtyard Marriott, 1800 Privado Road, Westbury, NY 11590.

Malcolm D. Reid, MD, MPP, President of the Society, presided:

PRESENT

OFFICERS

Malcolm D. Reid, MD
Charles Rothberg, MD
Joseph R. Maldonado, Jr., MD
Arthur C. Fougner, MD
Bonnie L. Litvack, MD
Joseph R. Sellers, MD
Frank G. Dowling, MD
Kira A. Geraci-Ciardullo, MD
William R. Latreille, Jr., MD

COUNCILORS

Edward Kelly Bartels, MD
Maria A. Basile, MD
Robert A. Hesson, MD
Howard H. Huang, MD
John J. Kennedy, MD
Ms. Christina Kratschmer
Thomas T. Lee, MD
Parag H. Mehta, MD
Brian P. Murray, MD
Paul A. Pipia, MD
Saulius J. Skeivys, MD
Luis Carlos Zapata, MD

TRUSTEES

Leah S. McCormack, MD
Mark L. Fox, MD
Robert J. Hughes, MD
Andrew Y. Kleinman, MD
Daniel M. Young, MD

EXECUTIVE STAFF

Philip A. Schuh, MD
Donald R. Moy, Esq.
David Vozza, Esq.

MSSNY STAFF

Morris Auster, Esq.
Sandra Bennett
Elizabeth Dears, Esq.
Julie DeSimone Vecchione
Laurel Mayer
Regina McNally
Michele Nuzzi Khoury
Suzanne Reilly
Michael Reyes
Steven Sachs
Eunice Skelly
Christina Southard

TELEPHONE PARTICIPANTS

Mark J. Adams, MD
Joshua M. Cohen, MD
Thomas J. Madejski, MD
Sam L. Unterricht, MD

ABSENT

Paul A. Hamlin, MD
Richard A. Ritter, MD
Robert A. Viviano, DO

COUNTY EXECS

Stuart Friedman, MPS
Liz Harrison, CMP
Cheryl Malone

GUESTS

David Adelson, Esq.
Natalie Adler, MD
Bruce Berlin, MD
Thomas Donoghue
Donald Fager
John Hallowell
Patricia Hunt, DO
Steven Kaner, MD
Gregory Pinto, MD
Joel Riemer
Zeb Taintor, MD
Salvatore Volpe, MD

- A. **Call to Order and Roll Call**
- B. **APPROVED**, the Council Minutes of June 2, 2016
- C. **New Business (All New Action & Informational Items)**

1. **President's Report**

- a. Resolution 2016-200, Combine MSSNY HOD with Legislative Day in Albany
A MOTION was PROPOSED and PASSED to assign this to the Long Range Planning Committee to study this issue.
- b. **APPROVED**, to sign-on to the Pennsylvania Medical Society MOC Letter. Dr. Parag Mehta gave a very brief presentation on ABIM. Dr. Mehta is MSSNY's representative on the MOC issue. He attended several meetings in Pennsylvania on this issue.
He stated that time-limited certificates in internal medicine began in 1990 and subsequent MOC requirements included holding a current and valid license, self-assessment and practice evaluation, and passing an exam every decade. Physicians could fulfill all requirements anytime within a span of 10 years. In the past, you were required to pass the recertification exam, and earn 100 MOC points anytime within 10 years. Since June 2010 when ABMS first launched change of recertification process there is increasing protest in physicians' community nationwide. ABMS is planning to exempt physicians from written exams for MOC by 2018 in various subspecialties.
- c. **APPROVED**, an in-person, rather than a virtual meeting, for the January 19, 2017 Council Meeting
- d. Medicare Advantage Resolution **APPROVED & AMENDED** (additions underlined, deletions lined through ~~ó~~ added a fourth resolved)
Submitted by Joseph R. Maldonado, MD, MSc, MBA, DipEBHC

Whereas, CMS is permitting a process of "seamless conversion" wherein seniors are transitioned from traditional MCR insurance products into Medicare Advantage options with seniors having little understanding of the implications, the opting out process or informed consent, and

Whereas, many of the Medicare Advantage plans have select narrow provider panels which may disrupt a patient's established doctor/patient relationship and adversely affect the patients healthcare delivery and financial wellbeing, and

Whereas this practice of seamless conversion is projected to augment for the January 2017 enrollment period, and

Whereas there is little time in the upcoming enrollment period to appropriately educate seniors on these efforts and assist them in making appropriate choices for their healthcare and financial needs, now,

Be it resolved that the Medical Society prepare a simple, easy to read modifiable model letter for physician members to provide their Medicare enrollees this month as well as a pdf poster which can be downloaded for printing by physicians for their offices., Furthermore,

Be it resolved that the Medical Society work with ~~the AMA's "Big Four", the Coalition of State Medical Societies and the AMA~~ **appropriate stakeholders** to collaborate with senior groups including the AARP to raise awareness among physicians and seniors on the implications of the practice of seamless conversion and

Be it resolved that the Medical Society work with ~~including with the AMA's "Big Four", the Coalition of State Medical Societies and the AMA~~ appropriate stakeholders to immediately advocate with legislators and CMS to implement an immediate moratorium on the practice of seamless conversion.

Be it resolved, that the Medical Society submit this to the AMA.

2. **Board of Trustees Report** ó Upon motion made and seconded, **ACCEPTED** the Board of Trustees Report.

A meeting of the MSSNY Board of Trustees was held on Wednesday, September 14, 2016 at MSSNY Headquarters in Westbury.

The Actions taken by the Board at that meeting were as follows:

Approved: The Minutes from the Board of Trustees Meeting held on June 1, 2016.

Approved: The Minutes from the Board of Trustees Conference Call held on June 20, 2016.

Approved: The Minutes from the Board of Trustees Conference Call held on August 23, 2016.

Approved: The Per Diem for the AMA Interim Meeting being held in Orlando, Florida from November 12-15, 2016 as follows:

Three Nights Stay	\$1,658.11
Four Nights Stay	\$1,847.48

Approved: The dates and location for the 2018 House of Delegates as follows:

The 2018 MSSNY House of Delegates will be held from March 22 through March 25, 2018 at the Adams Mark Hotel in Buffalo, New York.

The Board deliberated HOD Resolution 2016-201 which proposed increasing the Delegate Subsidy from \$100/per day to \$175/per day for each day that the house is in session. After much discussion the Board voted **against** this resolution.

3. **Secretary's Report** ó **APPROVED**, unanimously, the Secretary's Report that requested Life Membership for 28 physicians and remission of dues for 5 physicians.
4. **MLMIC Update** - The company plans to change the mutual insurance company to a stock company for the purpose of the purchase by Berkshire Hathaway to improve the financial stability and flexibility of the company and to take the almost 2 billion dollars in payment and distribute that to eligible policyholders. The payment would go to the hospital or the person paying the premium.

5. **AMA Delegation Update** ó At the AMA Interim meeting, everyone should attend the Dutch Treat Dinner hosted by Tom Donoghue.
6. **MSSNYPAC Report** ó The report reflects the financial status during the dues collection period 9/1/15 ó 8/25/16. \$271,930.65 was collected from 1080 contributors. Working with each county to the recently purchased eRoots data to recruit new MSSNYPAC members. MSSNYPAC has a mobile phone and text service. It offers content updates, meeting reminders, announcements and important news.
APPROVED, the Nomination Assembly Member Deborah Glick for the 2017 Dr. Nathan David Award
7. **MESF Update**- MESF is currently discussing a possible arrangement with Empathetics, Inc. a firm in Boston that has some very interesting CME products which could be of use in a risk mitigation program for our physicians. They have four one-hour programs all of which are focused on the helping physicians and office staff develop and maintain a positive Interface in communicating with patients.
8. **Commissioners (All Action Items)**
Commissioner of Governmental Relations, Gregory Pinto, MD, Commissioner
MSSNYPAC Executive Committee Action Items
APPROVED, the following Congressional Candidates for MSSNYPAC Endorsement:

Congressman Chris Collins
Congressman Joseph Crowley
Congresswoman Elise Stefanik
Congressman Paul Tonko

APPROVED, the following State Senate Candidates for MSSNYPAC Endorsement:

Senator Tom Croci
Senator Kemp Hannon
Senator Robert Ort
Senator Michael Ranzenhofer
Senator James Seward
Ex-Assembly Member James Tedisco
Senator Catherine Young

APPROVED, the following State Assembly Candidates for MSSNYPAC Endorsement:

Assembly Member Kevin Cahill
Assembly Member Michael Cusick
Assembly Member Deborah Glick
Assembly Member Richard Gottfried
Assembly Member Charles Lavine
Assembly Member Joseph Morelle
Assembly Member Robin Schimminger

9. **Councilors** (All Action Items from County Societies and District Branches)
(No action items submitted)

D. Reports of Officers

1. Office of the President ó Meetings attended:
 - Gottfried Legislative Breakfast
 - Presentation at the Westchester Academy of Medicine
 - Television interview with Marcia Kramer (Channel 2 News)
 - Westchester County Annual Meeting
 - IPRO Meeting
 - New York County Annual Meeting
 - National Medical Association Meeting
 - Richmond County Medical Society Annual Meeting
 - Andrew Cuomo's Reception/ Gala Fundraiser
 - New Jersey Annual Gala
 - Fundraiser for Senator Hannon
 - MLMIC Executive Committee Meeting
 - Bronx County Annual Meeting
2. Office of the President Elect ó Charles Rothberg, MD, No report
3. Office of the Vice President ó Thomas J. Madejski, MD, No report
4. Office of the Treasurer ó Joseph R. Sellers, MD, **ACCEPTED** the Financial Statement for the period January 1, 2016 to July 31, 2016
5. Office of the Speaker - Kira A. Geraci-Ciradullo, MD, MPH
 1. 2017 House of Delegates will be held April 21-23 at the Westchester Marriott in Tarrytown
 2. Resolution Deadlines: February 17, 2017 and final deadline is March 17, 2017

E. Reports of Councilors (Informational)

The following reports were submitted for information:

1. Kings & Richmond Report - Parag H. Mehta, MD
2. Manhattan/Bronx Report ó Joshua M. Cohen, MD, MPH
3. Nassau County Report ó Paul A. Pipia, MD
4. Queens County Report ó Saulius J. Skeivys, MD
5. Suffolk County Report ó Maria A. Basile, MD, MBA
6. Third District Branch Report ó Brian P. Murray, MD
7. Fourth District Branch Report ó John J. Kennedy, MD
8. Fifth District Branch Report ó Howard H. Huang, MD
9. Sixth District Branch Report ó Robert A. Hesson, MD
10. Seventh District Branch Report - Mark J. Adams, MD
11. Eighth District Branch Report ó Edward Kelly Bartels, MD
12. Ninth District Branch Report ó Thomas T. Lee, MD
13. Medical Student Section Report ó Christina Kratschmer
14. Organized Medical Staff Section Report ó Richard A. Ritter, MD
15. Resident & Fellow Section Report ó Robert A. Viviano, DO
16. Young Physician Section Report ó L. Carlos Zapata, MD

F. Commissioners (Committee Informational Reports/Minutes)

The following items were submitted for information:

Commissioner of Communications, Joshua M. Cohen, MD, MPH

1. Report of the Division of Communications

Commissioner of Socio Medical Economics, Howard H. Huang, MD

2. Interspecialty Committee Minutes, June 30, 2016

G. Presentations

1. Revised MSSNY Bylaws Update ó Steven Kaner, MD

The Bylaws have been put together for over many years. Things have been added and things removed. The Bylaws are in the process of being revised making them more legible not changing the content. The Council should be provided with periodic updates.

2. Long Island Health Collaborative (LIHC) Update - Bruce Berlin, MD

The LIHC is a partnership of Long Island's hospitals, county health departments, health providers, community-based social and human service organizations, academic institutions, health plans, local government, and the business sector, all engaged in improving the health of Long Islanders. Collaborative members are committed to improving the health of people living on Long Island with chronic disease, obesity, and behavioral health conditions in Nassau & Suffolk counties.

3. Patient-Centered Medical Home Practice (PCMH) - Salvatore Volpe, MD

PCMH is a health care setting that facilitates partnerships between individual patients, and their personal physicians, and, when appropriate, the patient's family. Care is facilitated by registries, information technology, health information exchange and other communication tools to assure that patients get the indicated care when and where they need it.

H. Report of the Executive Vice President, Philip Schuh, CPA, MS

Membership Dues Revenue Schedule ó MSSNY's main source of income still remains from membership dues revenue. MSSNY staff and leadership will continue to diligently focus on engaging membership with institutional and group medical staffs .

I. Report of the General Counsel, Donald Moy, Esq.

The following report was submitted for information:

United Class Action Complaint

J. Report of the Alliance, Valerie Semeran

The following report was submitted for information:

Alliance Report

K. Other Information/Announcements

The following items were submitted for information:

1. Final version of the Sign-On Sunshine Act Letter
2. Sign-On Coalition of State Medical Societies VA Letter
3. Sign-On VHA APRN Letter
4. Letter to Andrew Slavitt, Acting Administrator, re Refinement Panel Process
5. Sign On MACRA Letter re Urge Larger Exemptions for Small Practices
6. AMA Amicus Brief, National Restaurant Association v. NYC Department of Health
7. Physician Foundation Minutes, August 2016
8. MSSNY Letter to CMS re MIPS and APM Incentive Under the Physician Fee Schedule
9. EpiPen Letters & News Release
10. Letter to United States Congress re Comprehensive Addiction & Recovery Act (CARA)
11. Letter to Honorable Burwell re MACRA

L. Adjournment – There being no further business, a motion to adjourn was made, seconded and approved. The meeting adjourned at 12:30 p.m.