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 14, 2017 at the Courtyard Marriott, 1800 Privado Road, Westbury, NY 11590.

Charles Rothberg, MD, President of the Medical Society, presided:

PRESENT

OFFICERS
Charles Rothberg, MD
Thomas J. Madejski, MD
Arthur C. Fougner, MD
Malcolm D. Reid, MD
Frank G. Dowling, MD
Sana Bloch, MD
Joseph R. Sellers, MD
Mark J. Adams, MD
Kira A. Geraci-Ciardullo, MD
William R. Latreille, Jr., MD

MSSNY EXECUTIVE STAFF
Philip A. Schuh, CPA, MS

GUEST
Donald J. Fager

MSSNY STAFF
Morris Auster, Esq.
John Belmont
Sandra Bennett
Julie DeSimone Vecchione
Laurel Mayer
Regina McNally
Michele Nuzzi-Khoury
Suzanne Reilly
Michael Reyes
Eunice Skelly
Christina Southard

COUNCILORS
Edward Kelly Bartels, MD
Maria A. Basile, MD
Joshua M. Cohen, MD
Janine L. Fogarty, MD
Justin M. Fuehrer, MD
Robert A. Hesson, MD
Howard H. Huang, MD
John J. Kennedy, MD
Thomas T. Lee, MD
Bonnie L. Litvack, MD
Parag H. Mehta, MD
Brian P. Murray, MD
Paul A. Pipia, MD
Saulius J. Skeivys, MD

TELEPHONE PARTICIPANTS
Terrance Bedient
Barbara Ellman
Christine Nadolny
Sam Unterricht, MD

ABSENT
Mark L. Fox, MD
Pratistha Koirala
Leah S. McCormack, MD
Daniel Young, MD
Luis Carlos Zapata, MD

TRUSTEES
Paul A. Hamlin, MD, Chair
Robert J. Hughes, MD
Andrew Y. Kleinman, MD
Joseph R. Maldonado, MD

COUNTY EXECUTIVES
Aaron Kumar, MD
Cheryl Malone
Evangeline Rosado-Tripp
A. Call to Order and Role Call

B. APPROVED, the Council Minutes of June 22, 2017

C. New Business (All New Action & Informational Items)

1. President’s Report
   a. MSSNY Stress & Burnout Task Force Conference Call Minutes were submitted for information.

2. Board of Trustees Report – A meeting of the MSSNY Board of Trustees was held on Wednesday, September 13, 2017 at MSSNY Headquarters. Upon Motion made and seconded, the Council ACCEPTED the Board of Trustees Report.

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

   1. The Board approved the Minutes from the Board of Trustees Meeting held June 21, 2017.
   2. The Board approved the MSSNY 2018 Dues Commission Program.
   3. The Board approved the Per Diem for those attending the AMA Interim Meeting being held in Honolulu, Hawaii November 11-17, 2017 for a four (4) night stay at $2,375.
   4. The Board approved the re-authorization of the MSSNY/Chase Line of Credit for $500,000.
   5. The Board approved the Westchester Marriott Hotel in Tarrytown, NY as the venue for MSSNY’s 2019 and 2020 House of Delegates.
   6. The Board heard a presentation from Mr. Peter Kokolus, CFA- Senior Consultant of Vanguard Institutional Advisory Services who has been appointed as MSSNY’s Investment Advisor.
   7. A verbal presentation/report was also given to the Board by Terry Bedient, Vice President, updating MSSNY on the activities of our CPH Program.

      Dr. Kleinman briefly updated the Council regarding Kern & Augustine situation. He stated that they are disbanded and our contract with them has been withdrawn. Request for Proposals were sent out to several law firms.
      We have started the process of interviews.

3. Secretary’s Report - APPROVED, unanimously, the Secretary’s Report that requested Life Membership for thirty-one (31) physicians and Dues Remissions for five (5) physicians.
4. **MLMIC Update** - Mr. Fager stated that when considering liability coverage offered by a Risk Retention Group (RRG), physicians should be aware of the risks involved and should understand how the coverage presented relates to the amount of the premium to be paid. MLMIC suggests that physicians carefully evaluate their current coverage & premiums and compare with those of an RRG. Berkshire Hathaway will continue to support MSSNY and the endorsement of MSSNY will continue.

5. **AMA Delegation Update** – Dr. Kennedy stated that MSSNY submitted a Resolution to the AMA to reinstate the AMA Commission to Eliminate Healthcare Disparities. Dr. Harmon, Chair of the AMA BOT asked for New York to support the Committee. Dr. Erick Eiting and Dr. Malcolm Reid will become members on the Committee. Dr. Kennedy referred the Council to letters that address issues of concern to physicians about the American Board of Medical Specialties’ Maintenance of Certification (ABMS MOC).

6. **MSSNYPAC Report** – Dr. Sellers stated that the report reflects the financial status of MSSNYPAC during the 2017 calendar year of January 1, 2017 through September 12, 2017. The amount collected was $152,468.62 from 551 contributors. Each dollar contributed to MSSNYPAC is split between operating expenses and contributions. In comparison to the same period last year, January 1, 2016 through September 12, 2016, the amount collected was $197,707.71 from 764 contributors. All physician leaders of MSSNY can assist the PAC by reaching out to their local physicians, hospitals and medical staffs.

John Belmont, MSSNY’s Vice President of Legislative & Regulatory Affairs presented information on the Physician Advocacy Network (PAL), an initiative aimed at getting MSSNY’s message out to legislators in an innovative new way. The goal would be to have at least 2 or 3 members assigned as a liaison to each state legislator and to meet with them at least twice a year to develop relationships with elected officials. MSSNY is currently updating our key contact list to assist in our legislative advocacy and looking for assistance from members to reach out to physicians who have close relationships with legislators.

A Motion was Proposed & Passed to rename the MSSNYPAC Chairman’s Club to the Councilor’s Club

7. **Commissioners (Action Item)**
   1. Commissioner of Socio-Medical Economics, Howard H. Huang, MD
      Committee on Interspecialty
      **NOT ADOPT**, Resolution 2017-157, Development and Promotion of Evidence-based Ultrasound-First Radiation Mitigating Protocols
D. **Reports of Officers (Verbal Reports)**

1. **Office of the President** – Charles Rothberg, MD – Meetings attended:
   - New York County Annual Meeting
   - NYS Academy of Family Physicians
   - NYSIPP Meeting
   - Integrated Care/NYS Stakeholder Meeting
   - MLMIC Executive Committee @ the Equinox
   - Anthem Provider Teleconference
   - MLMIC Executive Committee
   - Quality Improvement & Innovation Group Roundtable WEBEX

Dr. Rothberg presented graphs to the Council that illustrates the decline of dues paying members by year, as well as the decline in actual dues income by year. Dr. Rothberg noted that as our membership declines, a higher loss of income impacts our budget. He informed the Council that he is currently in discussions with a large medical institution in an effort to recruit 5,000 physicians at a reduced membership rate of $50-$100.

It is becoming more difficult to obtain institutional membership because of hospital mergers. The other concern is that due to the lack of membership, we are not able to obtain sponsorships needed to focus on additional opportunities for non-dues revenues.

There was a very lengthy discussion regarding the issue of recruiting 5,000 physicians with a reduced membership rate. The following Motion was proposed:

**A Motion was Proposed & Passed to allow Leadership to pursue a pilot project to a large group for no less than a three year term, to engage the group at no less than $50.00 and engage the county societies. Details will be brought back to Council at the next meeting.**

2. **Office of the President-Elect** - Thomas J. Madejski, MD – Dr. Madejski will be in attendance at the 2017 Physician Leadership Academy Meeting scheduled for September 27-30. Also, on December 4, 2017 he will attend the MOC meeting in Chicago.

3. **Office of the Vice-President** - Arthur C. Fougner, MD – Dr. Fougner attended the IMG Symposium at Jacobi Medical Center in the Bronx. He & Mr. Schuh met with Mr. Michael Schoppmann and union reps at MLMIC headquarters to discussion unions.

4. **Office of the Treasurer** - Joseph R. Sellers, MD, **ACCEPTED**, the Financial Statement for the period 1/1/17 – 7/31/17

5. **Office of the Secretary** - Frank G. Dowling, MD – No verbal report
6. Office of the Speaker - Kira A. Geraci-Ciardullo, MD, MPH - Dr. Geraci announced that the House of Delegates will begin on Friday, March 23, 2018 and will adjourn on Sunday, March 25, 2018. January 22 will be the start for accepting Resolutions. The final deadline for submission of Resolutions is **Friday, February 9th at 5:00 p.m.**

E. **Reports of Councilors** (Informational)
The following County/District Reports were **ACCEPTED** as submitted:

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

(no written report submitted)

F. **Commissioners** (Committee Informational Reports/Minutes)
The following Committee Minutes & Reports were submitted for information:

1. **Commissioner of Communications**, Maria A. Basile, MD, MBA
   Report of the Division of Communications

2. **Commissioner of Governmental Relations**, Gregory Pinto, MD
   2017 Legislative Summary

3. **Commissioner of Membership**, Parag H. Mehta, MD
   Dr. Mehta presented slides from Harvard Business Review on “Why Organizations Don’t Learn”.
   He explained slides on the four biases:
   1. Bias Toward Success
   2. Bias Toward Action
   3. Bias Toward Fitting In
   4. Bias Toward Experts
4. Commissioner of Science & Public Health, Frank G. Dowling, MD
   Public Health & Education Report

5. Commissioner of Socio-Medical Economics, Howard H. Huang, MD
   Committee on Interspecialty Minutes, June 29, 2017

G. Report of the Executive Vice President - Philip A. Schuh, CPA, MS
   1. Membership Dues Revenue Schedule
   2. Group Institutional Dues Schedule
   3. PAI Letter - Recommendations for Regulatory Relief
   4. Final MOC Sign-On Letter

Mr. Schuh referred the Council to the Membership Dues Revenue Schedule and Group Institutional Dues Report. However, from a budget perspective dues revenue is still dropping.

H. Report of the Alliance - Valerie Semeran, Co-President
   The Alliance Report was submitted for information
   Presented by: Barbara Ellman

I. MESF Foundation - Thomas Donoghue, Executive Director
   Report was presented by Dr. Malcolm Reid – MESF Physician’s Leadership Conference will be held on October 20 & 21, 2017 at the Albany Hilton.

J. Other Information/Announcements
   The following items were submitted for information:
   1. Brookhaven Memorial Hospital Harvest Moon Gala honoring Charles Rothberg, MD
   2. AMA Letter to Alphonso David, Counsel to the Governor re Veto of S.6800/A.8516
   3. Letter from Division of Governmental Relations re S.6800
   4. Letter re: Newly trained doctors flee NY
   5. The Buffalo News
   6. Doctors, Business Groups urge Cuomo to veto Malpractice Bill
   7. Observer – No cure for exodus of physicians
   8. GNYHA Requests to veto “Lavern’s Law”
   9. Poughkeepsie Journal – Reform needed in medical liability system to keep physicians from leaving the state
   10. Letter: Bill before Cuomo costly to health care
   11. Medical Liability bill will drive doctors out of New York
   12. July 19, 2017 Letter to Governor Cuomo re S.6800

K. Adjournment – There being no further business, a Motion to Adjourn was made, seconded and approved. The meeting adjourned at 12:00 noon