

MSSNY Council Report
Joshua M. Cohen, MD, MPH, Councilor
Manhattan and the Bronx
March 5, 2019

New York County Medical Society

- É The Society's co-sponsored Legislative Breakfast on January 27 with the New York County Psychiatric Society and the New York Council on Child and Adolescent Psychiatry was well attended. We heard from Representative Carolyn Maloney, Assemblyman Richard Gottfried, Senator Gustavo Rivera, Senator Robert Jackson, Assemblymember Harvey Epstein, and Manhattan Borough President Gale Brewer, with close to 70 in attendance. It was a good kick off as preparation for the March 6 Albany visit. The Society is sending a bus from Manhattan and has a series of visits set for Wednesday afternoon.

- É As a second part of Physician Advocacy Day, the Society will be sending blast emails to its members asking them to contact legislators by phone and email about our issues on March 6, in support of those going to Albany to lobby in person. The message is "I'm seeing patients today so that my colleagues can lobby in Albany for MSSNY's Physician Advocacy Day. However, I still want to make sure **my voice as a physician** is heard. Here are some of the issues that matter to me *AND* my patients. . ."

- É The Society continues to review the Single Payer situation, noting that regardless of whether the bill is signed in 2019 or not, the wave of interest in this legislation is only increasing. The Society's concern is that if and when any version of this bill passes, it is as "physician positive" as possible. The Society continues to talk to Assemblymember Gottfried and Senator Rivera to make sure that the baseline of legislation does not ignore physician needs.

ACTION ITEM:

The Society has been fielding a number of complaints and concerns about the proposed new pricing model for ZocDoc, which it has also been passing on to MSSNY. The new model includes a price per booking as opposed to a general fee to use the platform and includes an aggressive "no show" charging policy. ZocDoc states that New York State Department of Health does not consider the new proposal fee splitting because it refers to booking, not an actual visit, and patients are not routed to a particular physician.

However the new price setup presents a real problem for doctors. Members' complaints include aggressive sales tactics by ZocDoc representatives who have been harassing physician offices who have not signed up under the new plan (e.g., "demands that we share our fees so they can prove to us that the plan is still cost effective.") Another was told by a sales representative that the Medicare Advantage plan appointments would still be covered, although that is not the case. In addition to aggressive sales tactics, one psychiatrist observed that he does not wish to be charged for the patients who book because they are seeking drugs.

PAGE TWO/MARCH 5, 2019
JOSHUA M. COHEN, MD, MPH
MANHATTAN AND THE BRONX

The Board is also concerned that although the NYSDOH appears to be approving the new ZocDoc format, there is a history of one branch of the executive department going along with a process and another part taking action (e.g., a few years ago several upstate physicians were accused of fee splitting for using billing/collection services that charged per patient bill, in violation of Medicaid rule, although the rest of the State government had never acted or expressed concern on a common practice in the State). The fact that Medicare and Medicaid patients cannot use the ZocDoc service because of federal rules indicates that there is some conflict here.

The Board recognizes that in these type of circumstances, it is the doctor who takes on **all** the risk of professional discipline, affecting the ability to practice and future livelihood.

Because of this concern and the timing (many physicians need to determine what to do by April 1), the Board of Directors of the New York County Medical Society ask MSSNY to provide advice to the membership about concerns with the ZocDoc model. In addition, the Board brings the following motion to the Council:

MOTION: THAT THE MEDICAL SOCIETY OF THE STATE OF NEW YORK WORK WITH THE NEW YORK STATE DEPARTMENT OF HEALTH TO ESTABLISH STATE REGULATION WHICH WOULD DEFINE PER-PATIENT FEE MODELS FOR PHYSICIAN APPOINTMENT SCHEDULING BY THIRD-PARTY VENDORS AS "FEE SPLITTING" AND THEREFORE A VIOLATION OF NEW YORK STATE LAW. (FOR COUNCIL APPROVAL)

É The Society is sponsoring a CME program on distracted doctors on April 18, and an evening lecture on physician wellness in March.

Bronx County Medical Society

É Bronx County Medical Society welcomes new vendor relationships with Vistec Partners, Wells Fargo & The Residence Inn of Marriott.

É Bronx County Medical Society will hold its Nominating Committee meeting on February 26th 2019. Bronx County will be electing both an incoming Secretary & Treasurer. Letters have been sent to Bronx County General Membership as well to apply.

É Bronx County will be headed to Albany for Physician Advocacy Day on March 6, 2019. Bronx County key executive board will be strategizing for the upcoming visits, including emphasizing on three key issues that has been discussed at our Comitia meetings that may be detrimental to the members that our physicians serve in the Bronx.

PAGE THREE/MARCH 5, 2019
JOSHUA M. COHEN, MD, MPH
MANHATTAN AND THE BRONX

É The Bronx County Medical Society is hosting our 16th Annual Doctorø Recognition Day Symposium, Poster Presentations & Physician Exposition at Mercy College on Thursday March 28. It is the premier medical and scientific event. Our topic will be öCannabis as a Medicine.ö

Featured Speakers:

Julia Arnsten, MD, MPH, FACPö Chief, Division of General Medicine, Professor of Medicine, Psychiatry & Epidemiology, Albert Einstein College of Medicine, Director of Center for Comparative Effectiveness Research.

Grace Forde, MD ö Director of Neurological Services at North America Partners in Pain Management, Assistant Professor of Neurology at NYU, Secretary of the New York Pain Society.

Junella Chin, MD ö CoóFounder & Medical Director of MCM, Director of Education for the Association of Cannabis Specialists, Board of Advisors for Hollywood Heart, a nonóprofit dedicated to serving at risk teens with HIV/AIDS.

Alan Diaz MD ö President of Salud Medical PC, Board of Directors, Montefiore IPA, Executive Committee at MCCN.

Please RSVP by March 22 to Ronald Blount, Executive Director, Bronx County Medical Society at bronxphysicians@gmail.com Mobile: (347) 93360434.