

MSSNYPAC REPORT TO THE MSSNY COUNCIL

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This report reflects the financial status of MSSNYPAC during the 2020 fiscal year period of 1/1/20 through 9/15/20. We have collected \$106,834.94 from 273 individual supporters. Each dollar contributed to MSSNYPAC is split between operating expenses and contributions to candidates in a ratio of 2:8. For comparison, prior year collections for the same time period are as follows:

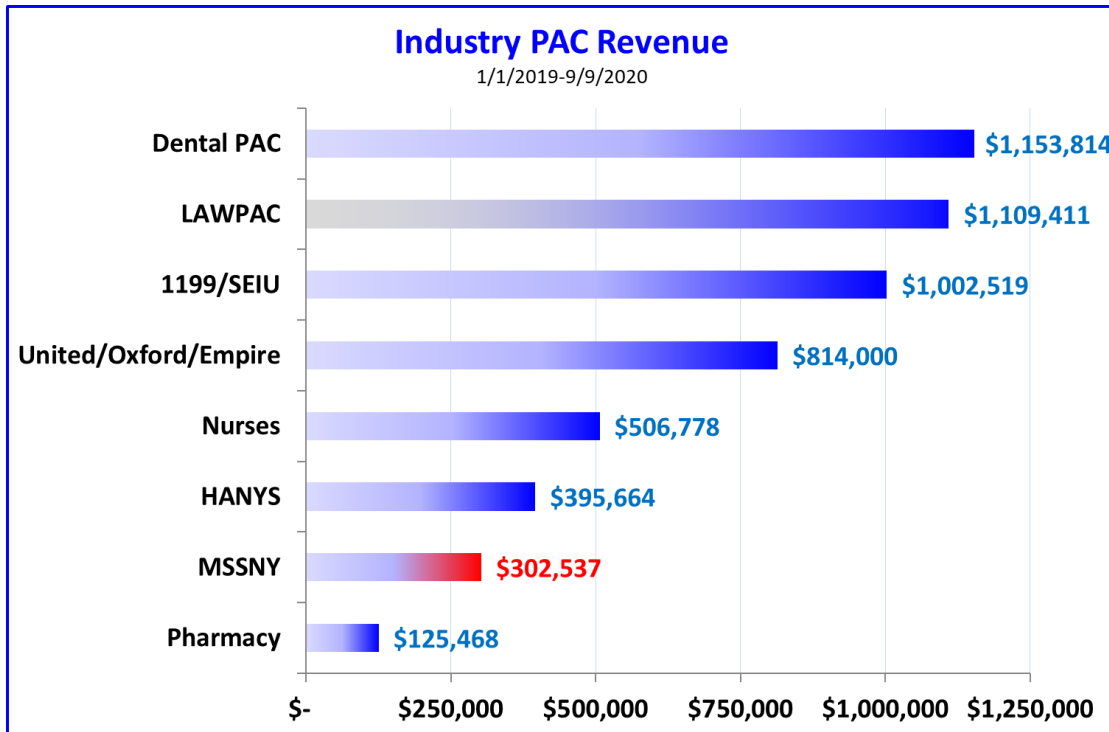
2019: \$167,264.64 from 443 supporters

2018: \$177,115.83 from 503 supporters

2017: \$157,269.24 from 572 supporters

The HOD, as we traditionally experience it, was unable to be held due to the COVID-19 pandemic. This past weekend, we participated in a virtual HOD, raising \$20,000 from among the delegates, past presidents and MSSNY leadership. We thank all those who donated and are seeking all Delegates to renew their membership at this time. The HOD is MSSNYPAC's largest fundraising event of the year, generating funds and commitments of more than \$100K.

In light of the political reality that all 213 Senate and Assembly seats will be up for election in November, and in the context of the relative strength of the PACs of associations such as trial attorneys and insurance companies, whose orientation toward issues impacting physicians and our patients is predominantly opposing, MSSNYPAC needs all its supporters to join or renew today.



MSSNYPAC requests the assistance of MSSNY Councilors to send a personal email or call the historic PAC donors in each respective area to ask for their support. Jennifer Wilks will provide each Councilor with a list of those who have not renewed. Further information will be sent by email shortly.

MSSNYPAC opted to postpone the instituting of a county to county fundraising contest due to the impact of COVID on physician practices and the extension of the 2020 dues collection cycle. We expect it to begin with the 2021 dues cycle. More to follow on this initiative.

To proactively reach out to MSSNYPAC, you can now text:

MSSNY PAC to 52886 to be directed to MSSNYPAC or go directly to www.mssnypac.org/contribute.

For more personalized assistance text 914-933-7722 and Jennifer Wilks will assist you.

The Federal and State Candidate Evaluation Subcommittees met over the summer to determine which candidates for office would be submitted to the Council for recommendation. The MSSNYPAC Executive Committee offers the following recommendations the Council for its consideration:

NEW YORK STATE LEGISLATURE – ASSEMBLY

Assembly Member Peter Abbate (D) 49th AD (Kings County). He is the chief sponsor of legislation (A.5018) to assure greater fairness in the resolution of medical liability lawsuits by increasing the requirements for an attorney filing a Certificate of Merit and expanding criteria for expert witnesses. A member of the Assembly Labor Committee, he is a co-sponsor of legislation to permit physician collective negotiation (A.2393). He also supported legislation strongly supported by MSSNY to regulate PBMs (A.2836), prohibit mid-year prescription formulary changes (A.2969), raise the statewide tobacco purchase age to 21 (A.558-A) and eliminate non-medical exemptions to vaccination requirements (A.2371-A). Assemblymember Abbate also works closely with local physician leaders and MSSNY staff.

Assembly Member Rodneyse Bichotte (D) 42nd AD (Kings County). She is the chief sponsor of legislation (A.7100) supported by MSSNY and the NYSSA that would codify the practice of nurse anesthesia under the supervision of an anesthesiologist. She also vocally opposed a proposal in the Governor's Executive Budget in 2018 that would have granted independent practice to nurse anesthetists. She also supported legislation strongly supported by MSSNY to regulate PBMs, prohibit mid-year prescription formulary changes and raise the statewide tobacco purchase age to 21.

Assemblymember Kevin Byrne (R) 94th AD (Putnam and Westchester Counties). He is ranking member of the Assembly Health Committee. He was a supporter of legislation that passed the Assembly that would prohibit mid-year prescription formulary changes (A.2969) and require state regulation of PBMs (A.2836). He also voted against legislation (A.2372) opposed by MSSNY, ultimately vetoed by the Governor, that would have changed loss allocation rules in cases where there are multiple defendants and one defendant settles. He also voted against legislation (A.2373) also opposed by MSSNY, vetoed by the Governor, that would have permitted collections directly against third party defendants who were not original parties to a lawsuit. He works closely with MSSNY staff and local physicians, including actively seeking MSSNY perspective on legislation prior to Committee meetings and Budget hearings.

Assembly Member Kevin Cahill (D) 103rd AD (Ulster and Dutchess counties). He is the Chair of the Assembly Insurance Committee, and a member of the Health, Higher Education and Ways & Means Committee. Assemblyman Cahill works closely with MSSNY staff and has a strong record of taking action consistent with MSSNY's positions. He has been a leading advocate to protect the Excess Medical Liability Insurance Program against cuts and physician cost impositions. Once again, he led efforts to oppose legislation rejected by the Assembly

proposed in the State Budget and on a "standalone" basis that would have permitted corporate-owned retail clinics. He also was a leading opponent of the CVS takeover of Aetna, including organizing a public hearing to raise significant concerns with this merger, and submitted a letter to the US Department of Justice urging that the merger be blocked. He is also one of the principal co-sponsors of legislation (A.2393) to permit physicians to collectively negotiate with health insurance companies.

Assemblymember Jeff Dinowitz (D). 81st AD (Bronx County). He was the chief Assembly sponsor of legislation strongly supported by MSSNY and signed into law (A.2371-A) that eliminated non-medical exemptions to immunization requirements, for which he bravely withstood heavy criticism from a wide ranging group of New Yorkers. He also supported legislation strongly supported by MSSNY to regulate PBMs, prohibit mid-year prescription formulary changes and raise the statewide tobacco purchase age to 21. He is also a co-sponsor of legislation strongly supported by MSSNY to permit physicians to collectively negotiate contract terms with health insurers (A.2393) and legislation to prohibit health plans from denying care unless it is reviewed by a physician in the same or similar specialty as the physician providing care (A.3076). He works closely with MSSNY staff and local physicians.

Assemblymember Pat Fahy (D). 109th AD (Albany County). A member of the Assembly Higher Education Committee and the Assembly Codes Committee, she has been a strong opponent of marijuana legalization legislation and voted against legislation to weaken Covid-19 liability protections for physicians and other health care providers. She also supported and co-sponsored legislation supported by MSSNY that would require the licensing and state regulation of Pharmaceutical Benefit Managers (PBMs), raised the statewide tobacco purchase age to 21 and limited the exemptions for required immunizations. She is also a co-sponsor of the physician collective negotiation legislation (A.2393). She works closely with MSSNY staff and local physicians.

Assembly Member Deborah J. Glick (D) 66th AD (New York County). Assemblywoman Glick chairs the Assembly's Higher Education Committee. In that capacity, she has been a fierce opponent to the numerous inappropriate scope of practice expansion bills referred to her Committee, including bills to inappropriately expand the scope of podiatrists, optometrists, psychologists, chiropractors, pharmacists, dieticians, and to authorize the use of naturopaths. Once again, she was a strong vocal opponent legislation rejected by the Assembly proposed in the State Budget and on a "stand-alone" basis to permit corporate owned "retail clinics" and has been a strong advocate in opposition to various CME mandates. She and her staff have an outstanding working relationship with MSSNY.

Assembly Member Richard Gottfried (D) 75th AD (New York County). He is the Chair of the Assembly Health Committee and sits on the Assembly Higher Education Committee. In that capacity, Assemblyman Gottfried has over several years sponsored numerous MSSNY priority bills, including legislation reform abusive health insurer prior authorization practices (A.3038), to prohibit health insurer extrapolation audits, and to permit physician collective negotiations (A.2393). He also led the effort this year to oppose a seriously problematic Budget proposal that would have substantially reduced due process rights for physicians against him a disciplinary complaint has been filed. While MSSNY continues to have a policy position in opposing to single payor legislation, Assemblyman Gottfried has significantly revised his legislation to respond to several concerns that the physician community has raised regarding implementation of such a massive system. He works closely with MSSNY staff, and is a regular attendee of MSSNY Advocacy Day and local county medical society legislative functions.

Assembly Member Chuck Lavine (D) 13th AD (Nassau County). He sponsored multiple bills in the 2019-20 Session to address concerns raised by physicians, including legislation (A.2835) to assure due process protection for physicians when health plans do not renew physician participation contracts with them, and legislation (A.2842) that would provide greater protections to physicians when health insurers undertake extrapolation audits. He also supported legislation strongly supported by MSSNY to regulate PBMs (A.2836), prohibit mid-year prescription formulary changes (A.2969), raise the statewide tobacco purchase age to 21 (A.558-A) and eliminate non-medical exemptions to vaccination requirements (A.2371-A). He is also a co-sponsor of legislation strongly supported by MSSNY to permit physicians to collectively negotiate contract terms with health insurers (A.2393). He works closely with MSSNY staff and local physicians.

Assemblymember Linda Rosenthal (D). 67TH AD (New York County). She is Chair of the Assembly Alcoholism and Substance Abuse Committee and a member of the Assembly Health Committee. She was the chief sponsor of public health legislation strongly supported by MSSNY and enacted into law that that raises the statewide purchase age of tobacco to 21, and of legislation to prohibit the sale of flavored vaping products. She also supported and co-sponsored legislation supported by MSSNY that would require the licensing and state regulation of Pharmaceutical Benefit Managers (PBMs), prohibit mid-year health insurer prescription formulary changes, and limited the exemptions for required immunizations. She is also a co-sponsor of the physician collective negotiation legislation (A.2393) and

legislation to prohibit health plans from denying care unless it is reviewed by a physician in the same or similar specialty as the physician providing care (A.3076). She works closely with MSSNY staff and local physicians.

NEW YORK STATE LEGISLATURE – SENATE

Senator Neil Breslin (D). 44th SD (Albany and Rensselaer Counties). He is the Chair of the Senate Insurance Committee. He is the chief sponsor of legislation that passed the Senate, but was vetoed, that would require the licensing and state regulation of Pharmaceutical Benefit Managers (PBMs), and preventing mid-year formulary changes. He is also the chief sponsor of important legislation (S.2847) that would reduce unnecessary health insurer imposed administrative hassles. He was a key voice in opposing an MRT proposal that would have imposed huge new costs on physicians obtaining coverage through the Excess Medical Malpractice Insurance Program. He also voted “without recommendation” on legislation before the Senate Judiciary Committee strongly opposed by MSSNY and others that would significantly expand the damages awardable in wrongful death actions (S.4006). He also voted against legislation (S.6081) strongly opposed by MSSNY, ultimately vetoed by the Governor, that would have changed loss allocation rules in cases where there are multiple defendants and one defendant settles. He works closely with MSSNY and local physicians, and is a regular participant during MSSNY’s Advocacy Day.

Senator Gustavo Rivera (D) 33rd SD (Bronx County). He is the Chair of the Senate Insurance Committee. He is the chief sponsor of legislation (S.3462) that would permit independently practicing physician collective negotiation rights, as well legislation (S.5280) that would prohibit health insurers from requiring physicians to maintain continuous board certification as a condition of participating with a health insurer network. He also led the Senate effort this year to oppose a seriously problematic Budget proposal that would have substantially reduced due process rights for physicians against him a disciplinary complaint has been filed.

He also co-sponsored legislation supported by MSSNY that passed the Senate that would require the licensing and state regulation of Pharmaceutical Benefit Managers (S.6531), and prohibit mid-year health insurer prescription formulary changes (S.2969). He works closely with MSSNY and local physicians, and is a regular participant during MSSNY’s Advocacy Day.

Senator Patrick Gallivan (R) 59th SD (Erie, Livingston, Monroe and Wyoming Counties). He is ranking member of the NYS Senate Health Committee. He also voted against legislation (S.6081) opposed by MSSNY, ultimately vetoed by the Governor, that would have changed loss allocation rules in cases where there are multiple defendants and one defendant settles. He also voted against legislation (S.6552) also opposed by MSSNY, vetoed by the Governor, that would have permitted collections directly against third party defendants who were not original parties to a case. He voted against legislation (S.4277) that would impose excessive patient risk warning requirements on physicians prior to prescribing a patient a controlled substance, as well as voting against legislation opposed (S.5150-B) by MSSNY that would have required a physician to co-prescribe naloxone for most of their patients who are prescribed opioid medications. He is a co-sponsor of legislation (S.2847) strongly supported by MSSNY that would reduce unnecessary health insurer imposed administrative hassles. He works closely with MSSNY staff and local physicians.

Senator James Gaughran (D) 5th SD (Nassau and Suffolk Counties). He is the chief sponsor of legislation (S.5885) supported by MSSNY and the NYSSA that would codify the practice of nurse anesthesia under the supervision of an anesthesiologist. He also voted against legislation (S.6081) strongly opposed by MSSNY, ultimately vetoed by the Governor, that would have changed loss allocation rules in cases where there are multiple defendants and one defendant settles. He also supported legislation strongly supported by MSSNY to regulate PBMs, prohibit mid-year prescription formulary changes, eliminate non-medical exemptions to vaccination requirements and raise the statewide tobacco purchase age to 21. He works closely with MSSNY staff and local physicians.

Senator Brad Hoylman (D). 27th SD (New York County). He was the chief Senate sponsor of legislation strongly supported by MSSNY and signed into law (S.2994-B) that eliminated non-medical exemptions to immunization requirements, for which he bravely withstood heavy criticism from a wide ranging group of New Yorkers. He also supported legislation strongly supported by MSSNY to regulate PBMs, prohibit mid-year prescription formulary changes and raise the statewide tobacco purchase age to 21. He is also a co-sponsor of legislation strongly supported by MSSNY

to reduce unnecessary hassles imposed by health insurers that interfere with patient care delivery (S.2847). He works closely with MSSNY staff and local physicians

Senator James Tedisco (R) 49th SD (Fulton, Hamilton, Herkimer, Saratoga and Schenectady counties). He worked closely with the MSSNY Alliance in advancing legislation supported by MSSNY that would require the use of helmets in high school girls' lacrosse. He voted against legislation (S.6081) opposed by MSSNY, ultimately vetoed by the Governor, that would have changed loss allocation rules in cases where there are multiple defendants and one defendant settles. He also voted against legislation (S.6552) also opposed by MSSNY, vetoed by the Governor, that would have permitted collections directly against third party defendants who were not original parties to a case. He also supported legislation strongly supported by MSSNY to prohibit mid-year prescription formulary changes, and raise the statewide tobacco purchase age to 21. He works closely with MSSNY staff and local physicians.

UNITED STATES CONGRESS

Representative Brian Higgins (D) 26th CD (parts of Erie and Niagara counties). Serving in his 8th term, Rep. Higgins was an original co-sponsor of legislation (HR 3502 "Ruiz-Roe") to address "surprise medical bills" in a manner similar to New York's renown approach that fairly balances the interests of insurers, hospitals, physicians and of course patients. As a member of House Ways & Means committee, he was a critical voice against competing short-sighted proposals advanced by the health insurance and business industries that could have severely undermined New York's approach. He also was a strong advocate for key initiatives adopted in the CARES Act, including the Paycheck Protection Program and the health care provider relief pool, and supported the "HEROES Act" which would expand these programs and provided needed additional funding to states to prevent Medicaid cuts.

Representative Chris Jacobs (R) 27th CD (Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans and Wyoming counties). Just elected to Congress in a special election in June, Representative Jacobs has for several years worked closely with MSSNY and local physicians as a member of the New York State Senate. He voted against legislation (S.6552) opposed by MSSNY, vetoed by the Governor, that would have permitted collections directly against third party defendants who were not original parties to a case. He also voted against legislation (S.6081) opposed by MSSNY, ultimately vetoed by the Governor, that would have changed loss allocation rules in cases where there are multiple defendants and one defendant settles. He also supported legislation strongly supported by MSSNY to prohibit mid-year prescription formulary changes, and raise the statewide tobacco purchase age to 21.

Representative Carolyn Maloney (D) 12th CD (parts of Kings, New York and Queens counties). Serving in her 14th term in DC, Rep. Maloney has long maintained a close relationship with local physicians. Rep. Maloney was the chief sponsor of legislation (HR 6720) to provide desperately needed medical student loan relief to physicians, residents and students who provided "frontline" care to patients afflicted with Covid-19. She also taken the lead on efforts to ensure personal protective equipment (PPE) is available to physicians including requiring that the Strategic National Stockpile maintain at least enough PPE to sustain the U.S. through a year of a global pandemic. She also was a strong advocate for key initiatives adopted in the CARES Act, including the Paycheck Protection Program and the health care provider relief pool, and a co-sponsor of the "HEROES Act" which would expand these programs and provided needed additional funding to states to prevent Medicaid cuts.

Representative Grace Meng (D) 6th CD (parts of Queens County). Rep. Meng was a co-sponsor of legislation (HR 3502 "Ruiz-Roe") to address "surprise medical bills" in a manner similar to New York's renown approach that fairly balances the interests of insurers, hospitals, physicians and of course patients. She also was a strong advocate for key initiatives adopted in the CARES Act, including the Paycheck Protection Program and the health care provider relief pool, and a co-sponsor of the "HEROES Act" which would expand these programs and provided needed additional funding to states to prevent Medicaid cuts. She has regularly worked closely with local physicians.

Representative Joseph Morelle (D) 25th CD (parts of Monroe County). Serving his first term in DC after years of working closely with the MSSNY and the Monroe County Medical Society as an Assemblymember in Albany, Rep. Morelle was a leading voice in Congress in advancing legislation (HR 3502 "Ruiz-Roe") to address "surprise medical bills" in a manner

similar to New York's renown approach that fairly balances the interests of insurers, hospitals, physicians and of course patients. As a member of the House Education & Labor Committee,

he also pushed back strongly against other competing short-sighted proposals advanced by the health insurance and business industries that could have severely undermined New York's approach. He also was a strong advocate for key initiatives adopted in the CARES Act, including the Paycheck Protection Program and the health care provider relief pool. He is also a co-sponsor of legislation (HR 6720) to provide desperately needed medical student loan relief to physicians, residents and students who provided "frontline" care to patients afflicted with Covid.

Representative Elise Stefanik (R) 21st CD (Clinton, Essex, Franklin, Fulton, Hamilton, Herkimer, Jefferson, Lewis, St. Lawrence, Saratoga, Warren, Washington). Running for her fourth term, the Congresswoman serves on the House Armed Services Committee and the Committee on Education and the Workforce. Rep. Stefanik was one of original co-sponsors of legislation (HR 3502 "Ruiz-Roe") to address "surprise medical bills" in a manner similar to New York's renown approach that fairly balances the interests of insurers, hospitals, physicians and of course patients. She also co-authored a letter to HHS urging that more funds be set aside from the Health Care Provider Relief Pool for community physicians. She also supported legislation (HR 1892) in 2018 to repeal the very problematic Independent Payment Advisory Board (IPAB), extend funding for the Child Health Insurance Program, and to reduce hassles with the Meaningful Use Program. She also supported legislation (HR 1215) in 2017 that would have enacted comprehensive medical liability reform. She has an excellent working relationship with several local MSSNY physician leaders and with MSSNY staff, and has frequently presented at various physician leader meetings

Representative Thomas Suozzi (D) 3rd CD (parts of Nassau, Queens, and Suffolk counties). Serving his first term in DC, Rep. Suozzi was a co-sponsor of legislation (HR 3502 "Ruiz-Roe") to address "surprise medical bills" in a manner similar to New York's renown approach that fairly balances the interests of insurers, hospitals, physicians and of course patients. As a member of House Ways & Means committee, he was a critical voice against competing short-sighted proposals advanced by the health insurance and business industries that could have severely undermined New York's approach. As a member of the W&M committee, he also was a strong advocate for key initiatives adopted in the CARES Act, including the Paycheck Protection Program and ensuring that the health care provider relief pool was made available to physician practices. He is also a co-sponsor of legislation (HR 6720) to provide desperately needed medical student loan relief to physicians, residents and students who provided "frontline" care to patients afflicted with Covid-19.

Representative Paul D. Tonko (D) 20th CD (Albany, Schenectady and parts of Montgomery, Rensselaer and Saratoga Counties). He is serving his sixth term, and is one of the New Yorkers on the very powerful House Energy & Commerce Committee – one of the key Committees with health care jurisdiction. Congressman Tonko served for over 20 years in NYS Assembly prior to running for Congress, and was the sponsor of the groundbreaking Mental Health Parity bill. He has also been a strong advocate to expand the availability of opioid treatment, and is the vice co-chair of the Congressional Addiction, Treatment and Recovery Caucus. He also was a strong advocate for key initiatives adopted in the CARES Act, including the Paycheck Protection Program and the health care provider relief pool, and voted in favor of the a co-sponsor of the "HEROES Act" which would expand these programs and provided needed additional funding to states to prevent Medicaid cuts. He also supported legislation to extend funding for the Child Health Insurance Program and to reduce hassles in the Meaningful Use Program. He has an excellent working relationship with local physicians and with MSSNY staff, and has frequently presented at various physician leader meetings.

Please take every opportunity to remind your colleagues that MSSNYPAC support is critical to our patients, practice and profession.

Thank you.