

Draft Minutes
MSSNY Committee on Bioethics
Friday, October 1, 2021
Via zoom

Present

Janine Fogarty, MD Asst.
Commissioner, Vice-chair
Jeffrey Berger, MD Chair
Patricia Bomba, MD
Stanely Bukowski, MD
Loren Wissner Greene, MD
Joel Potash, MD
Edward Powers III, MD
Corinne Salanson-Lojos, MD
Robert Schloss, MD
Renee Solomon, MD
Jane Simpson, DO

Excused

Joshua Cohen, MD Commissioner
Maria Basile, MD
Carol Beechy, MD

Peter Rogatz, MD

Absent

Arthur Cooper, MD
Cheryl Morrow, MD
Stanely Pietrak, MD
Anthony Pivarunas, DO
Sally White, MD

Invited Guests

Erin Sutton, Esq. Associate Council
American Medical Association
William Valenti, MD Chair, MSSNY
Committee on Infectious Disease

Staff

Troy Oechsner, Executive VP
Pat Clancy, Sr.VP/Managing Director
Maureen Ramirez, Administrative Asst.

1)Welcome

2) Approval of June 4, 2021 Minutes

3) Discussion of June 4 Resolution – Volunteers to develop report regarding Motion for the Committee on Health Equity and Committee on Bioethics to study equity of utilization/ distribution and allocation of resources during the pandemic in New York State and generate a report with COVID-19 recommendations in best practices and their implementation and report back to MSSNY Council or House of Delegates where appropriate.

4) a) Vaccine Mandates: The Legal Basis for Vaccine Mandates – Erin Sutton, Esq. Associate Counsel, Office of the General Counsel, American Medical Association - copy of power point presentation attached
Question from the committee – Why is there so much debate on topics that have been already settled. We've had vaccine deniers for as long as we've had vaccines. We've had mask refusals for as long as we've had mask interventions. There have always been vaccine mandates. There is the question "can the government mandate?" and the answer to that is "yes". The question that will always be debated is "how"? There is still room to argue "how"?

b) Why Vaccine Mandates Work – William Valenti, MD Chair of MSSNY Infectious Disease Committee.

Managing health emergencies requires extraordinary measures. It is science vs. virus vs people. People don't understand contagion. If they understood contagion, they would understand the mandates. People have a habit of creating their own science. Vaccine mandates work. Polio, smallpox, measles. Mandates are motivators in health care. Mandates cause action. What is the shift in understanding health science. Social media has added a level of complexity. This is the pandemic of the digital era. It will provide information to a large number of people whether it is valid or not. Polio was more of a childhood disease, so there was more sympathy. Think back to the damage the MMR and autism misinformation caused. This virus is more of a respiratory virus. It is dangerous. The message needs to be controlled, otherwise the message gets blurry. What is the patient responsibility in this? We need to be better informed. The idea that this is not a childhood illness is wrong. 20,000 children have died from COVID this year. This is not going away. The mandates will work, even then its going to take about 4 years. 90% of the population will need to be vaccinated in order to stop transmission. We also need to do a better job educating doctors. Ivermectin did not work well. There will be a drug soon for prevention and protection. Monoclonal antibodies will also soon be more readily available. This pipeline is about to break wide open.

5) Future Business

There will be a resolution that stemmed from the joint meeting between the Bioethics Committee and The Health Equity Committee that was held of June 4, 2021. Pat Clancy is looking for volunteers from this committee to assist with the writing of this report based on the findings of that joint meeting. If anyone is interested, please reach out to Pat Clancy. The resolution has not yet gone to council. Pat just needs to know how many people from each committee would be willing to work on the report.

6) Future Topics

- Revised Molst Forms
- COVID Staffing and Health Care Work Force issues
- Changing ratio of administration vs. clinicians
- Physician Professionalism – being employed vs. being self-employed
- Abandonment of Patients that are unvaccinated.
- Possible meeting with MSSNY Long Term Care Committee
- Personal Liberties vs. Public Welfare
- Bioethic Implications from COVID Epidemic
- Physicians practicing out of their scope of practice
- Liabilities when operating out of their scop
- Impact on Long Term Care

7) 2022 Meeting Dates -All meetings are held on Fridays from 8:30 to 11AM

February 11, 2022

May 13, 2022

October 14, 2022

Adjourned