



MINUTES OF THE VIRTUAL COUNCIL MEETING
Thursday, September 17, 2020, 9:00 a.m.

- A. Call to Order and Roll Call
- B. **APPROVED**, the June 4, 2020 Council Minutes
- C. New Business

President's Report:

The following Executive Committee Minutes were submitted for Council information:

- Executive Committee Minutes – July 23, 2020
- Executive Committee Minutes – August 6, 2020

Reference Committee on Governmental Affairs A

NOT ADOPTED, and referred to the Employed Physicians Committee
Resolution 2020-54 End Restrictive Covenants
Resolution 2020-55 Restrictive Covenants

Reference Committee on Governmental Affairs B

ADOPTED, Resolution 2020-108 Access to Medication

Resolution Introduced by Dr. Frank Dowling

ADOPTED AS AMENDED MSSNY Policy 207.966 Clarification of MSSNY Policy for Approval of any Amicus Brief

RESOLVED, that MSSNY policy 207.966 be Amended (additions underlined, deletions lined through)

Any proposed MSSNY amicus, or proposed participation in any amicus brief by MSSNY, will require the approval of the Office of the President when MSSNY has related policy; approval of Council or Executive Committee when there is no relevant MSSNY policy; and approval of MSSNY Board of Trustees and the MSSNY Council or Executive Committee when expenditures are required in relation to the amicus brief. Any amicus approved by the President needs to be reported to the Council.

Committee formed: Office of President

Members: President, Immediate Past President, President Elect, Vice President, Chair BOT.

Public Health & Education Resolution

ADOPTED, MSSNY Emergency Preparedness and Disaster/Terrorism Response Planning Committee Resolution- Influenza Vaccination for School-Aged Children

ADOPTED, 2020 HOD Resolutions referred to Council and the recommended committee referrals

Board of Trustees Report – Presented by Dr. Andrew Kleinman

A virtual meeting of MSSNY's Board of Trustees was held on Wednesday, September 16, 2020 at 7:00 p.m.

The Council **APPROVED** the following actions of the Board of Trustees:

The Board approved of the Minutes from the Board of Trustees Meeting held via Zoom on June 3, 2020.

The Board approved the 2021 Dues Commission Program.

The Board agreed to negotiate an extension of our agreement with the public relations firm at the current rate with the option to terminate with 60-days notice.

The Board discussed the contract with the hotel for the upcoming 2021 House of Delegates.

A meeting of the Board was held on September 8th, 2020. The actions taken at that meeting were as follows:

The Board approved that if a non-member paid \$150 for the CME Pain Management Course from MSSNY's CME website, then that payment could be applied to reduce membership dues if that non-member decided to join MSSNY.

The Board agreed to finalize a contract with Premier, a Group Purchasing Organization on behalf of MSSNY membership.

The Board agreed to an e-mail vote to approve a contract with the Executive Search Firm Korn Ferry, pending a review by MSSNY's General Counsel.

They will head the search for a replacement for MSSNY's EVP. The e-mail vote was taken, and the contract was approved.

Secretary's Report – Presented by Dr. Frank Dowling

APPROVED, unanimously, the Secretary's Report:

- Life Membership for thirty-one (31) physicians
- Dues Remissions for two (2) physicians in 2019
- Dues Remissions for seven (7) physicians in 2020

Commissioner of Continuing Medical Education, Mark J. Adams, MD

NOT ADOPTED as policy and referred to the CME Committee that “MSSNY does not, under any circumstances, use of employees of ACCME-defined commercial interests as faculty or planners of accredited CME”

NOT ADOPTED, referred back to the CME Committee the update to the MSSNY Relevant Financial Relationship Form

MSSNYPAC Report – Dr. Lee reported that the MSSNYPAC report reflects the financial status during the 2020 fiscal year period 01/01/2020 through 09/15/2020 During the virtual MSSNY HOD held on Sunday, September 13, 2020, MSSNYPAC raised \$20,000 from delegates, past presidents & MSSNY leadership. Also, the Council **APPROVED**, the slate of state/federal legislators recommended for endorsement

The Council **ACCEPTED** the appointment of Daniel Choi, MD the new Suffolk County Councilor to complete Dr. Linda Efferen’s term.

Doctors Council Presentation – Presented by Dr. Frank Proscia & Mr. Kevin Collins Dr. Proscia reported that Doctors Council is the oldest doctors union in the nation. They encompass physicians of all specialties practicing in various types of settings. They specialize, not just in labor issues, but specifically on health care issues and doctor related matters.

MLMIC Update - Dr. John Lombardo reported there has been no activity against physicians in the past few months due to COVID. Nursing homes & assisted living facilities lawsuits are increasing due to poor care and patients contracting COVID from other patients. Patients will take legal action against the facility and then the associated physician/physicians.

AMA Delegation Report – Dr. John Kennedy reported that the AMA House Delegates meeting was held as a virtual meeting due to COVID. Dr. Thomas Madejski was elected to the AMA Board of Trustees for a four-year term. Dr. Kira Geraci-Ciardullo will serve as chair of the Council on Science & Public Health. Dr. Eric Eiting was elected to a position on the Council for Medical Services. Lastly, the AMA Medical Executive Lifetime Achievement Award for 2020 will be awarded to Phil Schuh.

County Federation Report – Dr. Aaron Kumar thanked Dr. Litvack and the MSSNY Membership Committee for their direction in the member retention campaign. The Federation would like to express gratitude & congratulations to Phil Schuh and Eunice Skelly on their retirement. The Executive Directors Conference has been postponed due to COVID.

D. Reports of Officers (Verbal)

Office of the President – Bonnie L. Litvack, MD

Dr. Litvack reported that there are still virtual meetings going on throughout the state and if any county would like her to participate via Zoom meeting, she would be happy to do so. She did a presentation to the global physician network foundation. The Ford Motor Company has produced face shields that will be available to MSSNY members.

Office of the President-Elect – Joseph R. Sellers, MD

Dr. Sellers reported to the Council that today is National Physicians Suicide Prevention Day and the work of MSSNY's Peer to Peer program is very important in supporting each other in our profession. He is involved in a practice transformation project with the AMA. This is a meaningful value from MSSNY and AMA about how to improve practice life. All leaders of MSSNY should support MSSNYPAC.

Office of the Vice-President – Parag H. Mehta, MD

Dr. Mehta reported that there are two issues that will affect the medical profession. The first is the suspension of the Step 2 Clinical Skills Exams. If you cannot take the Step 2 exam you cannot be certified and get the residency. The second part is the World Federation Medical Education.

Office of the Immediate Past President – Arthur C. Fougner, MD

Dr. Fougner reported that he attended Workers' Compensation & Northwell meetings.

Office of the Treasurer – Mark J. Adams, MD,

The Council **ACCEPTED** MSSNY's Financial Statement for the period
01/01/2020 – 08/31/2020

Office of the Speaker – William R. Latreille, Jr., MD

Dr. Latreille reported that there is a YouTube link available of MSSNY's HOD.

He thanked Laurie Mayer & Michael Reyes for all their work on the HOD.

He is moving forward with plans for the Lake Placid meeting and will keep everyone informed.

E. Reports of Councilors (Informational)

1. Kings & Richmond Report – Adolph B. Meyer, MD

Dr. Meyer reported that Kings County Medical Society has formed a COVID-10 Task Force chaired by Dr. Donald Moore which meets every 2-3 weeks. Its purpose is to train physicians, patients on the necessity of social distancing, testing & treatment.

2. Manhattan & Bronx Report – David M. Jakubowicz, MD

Dr. Jakubowicz reported that New York County has a new slate of officers.

New York County is considering bringing on credit cards to physician offices as a member benefit. Dr. Jakubowicz wished Mr. Schuh & Ms. Skelly well on their retirement.

3. Nassau County Report – Paul A. Pipia, MD
Dr. Pipia reported that Nassau County Medical Society finalized the sale of their building and is looking for a new location.
4. Queens County Report – Saulius J. Skeivys, MD
Dr. Skeivys reported that October 1 marks the beginning of Queens County IPA involvement in New York State’s Innovation Plan
5. Suffolk County Report – Linda S. Efferen, MD
Dr. Efferen reported that she is resigning from her position as the Suffolk County Councilor. Suffolk County Medical Society nominated Dr. Daniel Choi.
6. Third District Branch Report – Brian P. Murray, MD
Dr. Murray reported, because of the pandemic, the Third & Fourth Districts cancelled their annual fall retreat. Dr. Murray wished Mr. Schuh a happy retirement.
7. Fourth District Branch Report – Gregory L. Pinto, MD (Report as submitted)
8. Fifth District Branch Report – Barry Rabin, MD (Report as submitted)
9. Sixth District Branch Report – Robert A. Hesson, MD (No report submitted)
10. Seventh District Branch Report – Janine L. Fogarty, MD (Report as submitted)
11. Eighth District Branch Report – Mark R. Jajkowski, MD
Dr. Jajkowski reported that the Medical Society of Erie County is approaching their 200-year anniversary. The accountant’s analysis through the end of 2020 forecasted that the Society would be at a deficit almost \$30,000.
12. Ninth District Branch Report – Thomas T. Lee, MD
Dr. Lee expressed his appreciation to Mr. Schuh for his leadership through the years, as well as Ms. Skelly for helping with the initial institutional membership at Northern Westchester Hospital. Westchester County Medical Society will host several legislative Zoom meetings.
13. Medical Student Section Report – Shireen Saxena, (Report as submitted)
14. Organized Medical Staff Section Report - Stephen F. Coccaro, MD
(No report submitted)
15. Resident & Fellow Section Report – Raymond Lorenzoni, MD
(No report submitted)
16. Young Physician Section Report – L. Carlos Zapata, MD
The YPS had a special meeting on August 16 to discuss nominations for the next Section Counselor. Dr. Zapata wished Mr. Schuh & Ms. Skelly well on their retirement.

F. Commissioners (Informational Items)

Commissioner of Communications, Maria A. Basile, MD, MBA

Report from the Division of Communications

(Report as Submitted)

Commissioner of Governmental Relations, Gregory L. Pinto, MD

Report from the Division of Governmental Affairs

Dr. Pinto urged all physicians to contact Governor Cuomo to request that he veto legislation requiring every physician's office to post a sign regarding how a patient can file a misconduct complaint with the OPMC. A letter can be sent to the Governor opposing this legislation here <https://p2a.co/QIY6MpX>

Commissioner of Membership, David M. Jakubowicz, MD

Report from the Division of Membership

Dr. Jakubowicz thanked Dr. Litvack, Dr. Podwall & the Membership Committee with organizing the first Membership Retention Phone Drive to catch up with membership.

Commissioner of Science & Public Health, Joshua M. Cohen, MD

The following Minutes were submitted for information

Addiction & Psychiatric Medicine Minutes, May 1, 2020

Emergency Preparedness & Disaster/Terrorism Response Minutes, May 7, 2020

Health Disparities Minutes, May 29, 2020

Heart, Lung Cancer Minutes, May 6, 2020

Infectious Disease Minutes, April 29, 2020

Preventive Medicine & Family Health Minutes, May 14, 2020

Public Health & Education Report

Peer to Peer Interviews, Dr. Frank Dowling & Dr. Charles Rothberg

<https://www.wxyz.com/news/national/coronavirus/new-program-aims-to-connect-doctors-with-their-peers-for-emotional-support>

Commissioner of Socio Medical Economics, Brian P. Murray, MD

Dr. Murray had nothing to report

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

1. Group Institutional Dues Report
2. Membership Dues Revenue Schedule

Mr. Schuh referred everyone to the Membership Dues Revenue Schedule which reflected the dues income for the past ten years. This schedule shows a decline in dues each year, which continues to be one of MSSNY's biggest financial concerns. The Group Institutional Dues Comparison Report is a breakdown of dues for the past five years. There is a slight decline in revenue because some group/institutions did not renew their membership for the 2019-2020 dues year.

- H. **Report of the General Counsel, Garfunkel Wild, Barry Cepelewicz, MD, Esq**
NOT ADOPTED, the Medical Society of the County of St. Lawrence Bylaws – The Bylaws were referred back to St. Lawrence County

I. **Other Information/Announcements**

The following items were submitted for information:

- AMA Letter re PPE shortages
- Dr. Litvack's letter to AMA re PPE shortages
- Sign on Letter re Non-Profit Organizations provided access to PPE Loan Programs
- AMA Letter re Provider Relief Fund/CARES Act
- AMA Sign on Letter re HHS Budget Neutrality
- Sign on Letter re Veterans Affairs
- AMA Letter re Police Reform
- Letter to NYS Dept. of Financial Services re Electronic Billing by Health Care Providers for No Fault Coverage Claims

- J. **Adjournment** – There being no further business, a Motion was made, seconded, and accepted. The virtual meeting adjourned at 1:15 p.m.