



## **MINUTES OF THE COUNCIL MEETING**

A virtual meeting of the Council of the Medical Society of the State of New York was convened on Monday, March 1, 2021 at 1:00 p.m.

The President of the Society presided:

### **PRESENT**

#### **OFFICERS**

Bonnie L. Litvack, MD  
Joseph R. Sellers, MD  
Parag H. Mehta, MD  
Arthur C. Fougner, MD  
Frank G. Dowling, MD (**Excused**)  
Joshua M. Cohen, MD  
Mark J. Adams, MD  
Howard H. Huang, MD  
William R. Latreille, Jr., MD  
Maria A. Basile, MD

#### **COUNCILORS**

Daniel E. Choi, MD  
Stephen F. Coccaro, MD (**Excused**)  
Janine L. Fogarty, MD  
Robert A. Hesson, MD  
Mark R. Jajkowski, MD (**Excused**)  
David M. Jakubowicz, MD  
Thomas T. Lee, MD  
Raymond Lorenzoni, MD  
Adolph B. Meyer, MD  
Brian P. Murray, MD  
Gregory L. Pinto, MD  
Paul A. Pipia, MD  
Barry Rabin, MD  
Shireen Saxena (Medical Student)  
Saulius J. Skeivys, MD  
Luis Carlos Zapata, MD

#### **TRUSTEES**

Andrew Y. Kleinman, MD, Chair  
Jerome C. Cohen, MD  
Thomas J. Madejski, MD  
Joseph R. Maldonado, MD  
Charles Rothberg, MD

#### **EXECUTIVE STAFF**

Troy Oechsner  
Executive Vice President

#### **MSSNY STAFF**

Raza Ali  
Morris Auster, Esq.  
Sandra Bennett  
Zina Cary  
Patricia Clancy  
Miriam Hardin  
Laurel Mayer  
Regina McNally  
Michele Nuzzi Khoury  
Roseann Raia  
Suzanne Reilly  
Michael Reyes  
Kathy Rohrer  
Christina Southard  
Brenda Van Nest  
John Vecchio  
Julie Vecchione DeSimone  
Jennifer Wilks

#### **COUNTY FEDERATION**

##### **EXECUTIVE**

Aaron Kumar, MD

##### **COUNTY SOCIETY EXECUTIVES**

Lucia Acosta-Castillego, MS  
Erika Barry  
Shirley Cosgriff  
Aimana ElBahtity, Esq  
Cheryl Malone  
Janine Miller  
Evangeline Rosado-Tripp  
Stavroula Savelidis

#### **MSSNY'S LEGAL COUNSEL**

James Dering

#### **GUESTS**

Barbara Ellman  
Thomas Donoghue  
Prasad Gudavalli, MD  
Lori Hertz  
John Kennedy, MD  
Jennifer Lee  
John Lombardo, MD  
Leah McCormack, MD  
Philip Schuh, CPA,MS

Call to Order and Roll Call

**APPROVED**, the January 14, 2021 Council Minutes

New Business

**President's Report:**

Quality Improvement and Patient Safety Committee Resolutions

**ADOPTED AS AMENDED Substitute Resolution Late A – Ensuring Correct Drug Dispensing (addition underlined)**

RESOLVED, that MSSNY request that the New York State Education Department work with the pharmaceutical and pharmacy industries to facilitate the ability of pharmacies to ensure that when a prescription is dispensed, a color photo of the prescribed medication and its dosage is attached to the receipt to ensure that the drug dispensed is that which has been prescribed, and be it further

**RESOLVED, that a similar resolution be forwarded to the AMA.**

**ADOPTED the following substitute Resolution 104 – Scientific Studies to Support Legislative Agendas**

RESOLVED, that the Medical Society of the State of New York (MSSNY) continue to work with allied groups and health care policy influencers such as think tanks to help generate support for MSSNY's key advocacy goals; and be it further

RESOLVED, that the Medical Society of the State of New York (MSSNY) continue to work with entities that can produce high quality scientific evidence data to help generate support for MSSNY's key advocacy goals; and be it further

RESOLVED, that the MSSNY delegation to the AMA introduce a resolution at the next AMA House of Delegates meeting urging the AMA to expand its efforts to work with allied groups, health care policy influencers such as think tanks, and entities that can produce high quality scientific evidence, to help generate support for the AMA's key advocacy goals.

Health Information Technology Committee Resolution

**ADOPTED, Substitute Resolution 53 – Separation of Clinical Portions of EHRs from Administrative & Financial Uses**

RESOLVED, that the Medical Society of the State of New York continue to work with the AMA and specialty societies to advocate for legislation, regulation or other appropriate mechanisms to ensure that electronic health record (EHR) systems are developed and implemented in such a way as to facilitate the compiling and sharing of clinical information, as appropriate, in a manner that is consistent with how physicians regularly deliver care.

Preventive Medicine and Family Health Committee

**NOT ADOPTED, Resolution 203 – Addressing Climate Crisis through Education and Action**

RESOLVED, that the Medical Society of the State of New York (MSSNY), leads by example by investigation and announcement of a plan toward carbon neutrality, and be it further

RESOLVED, that MSSNY create educational materials for simple and actionable items and implement them during MSSNY activities, (e.g. post on website as resource to county medical society), and be it further

RESOLVED, that MSSNY reduce printing when not necessary.

**APPROVED, 2021-2022 MSSNY Meetings Schedule**

**Board of Trustees Report** – Presented by Dr. Andrew Kleinman

A virtual meeting of the MSSNY Board of Trustees was held on March 1, 2021 at 9:00 a.m.

The Council **APPROVED** the following actions:

The Board approved the Minutes from the Board of Trustees Meeting held on January 13, 2021.

The Board discussed and approved signing the contract with Saratoga Springs City Center as the venue for the MSSNY 2021 House of Delegates which will be held in September.

The Board refrained from approving the contract with the Saratoga Hilton at this time and instructed Laurie Mayer to continue negotiations.

**Secretary's Report** – Presented by Dr. Joshua Cohen, MD

**APPROVED**, unanimously, the Secretary's Report:

Life Membership for thirty-seven physicians

A special request from St. Lawrence County – Grant Life Membership to Dr. Melchior Buscemi

2019 dues remissions for one physician due to financial hardship

2020 dues remissions for eleven physicians due to financial hardship

2021 dues remissions for three physicians due to financial hardship

**MLMIC Update** – Presented by Dr. John Lombardo

Dr. Lombardo announced that the Governor proposes to require Section 18-eligible physicians to pay half of the premium for excess professional liability coverage, to be paid in 12 monthly installment payments, or in another manner as agreed to by the physician. MLMIC is opposing this requirement. MLMIC will join our medical partner societies in advocating for restoring the full funding for the program so that the Section 18 excess insurance policyholders do not have to bear any of the financial burden for this program.

**AMA Delegation Report** – Presented by Dr. John Kennedy

Dr. Kennedy reported that the AMA is scheduled to have a HOD in June. Not sure if it will be a virtual meeting or an in-person meeting. Dr. Bob Goldberg is up for re-election on the Council of Medical Education. Dr. Pratistha Koirala is running for the board seat for the resident section.

**MSSNYPAC Report** – Presented by Dr. Thomas Lee

Dr. Lee reported that the financial status of MSSNYPAC at the close of the 2020 fiscal year of 1/1/21 – 2/25/21, MSSNYPAC collected \$41,474.28 from 189 individual supporters. Each dollar contributed to MSSNYPAC is split between operating expenses & contributions. All leaders of MSSNY, all county medical society leaders, all members of MSSNY committees should support MSSNYPAC at the highest level you are able and encourage a colleague to support as well.

**County Federation Report** – Presented by Dr. Aaron Kumar

Dr. Kumar thanked Brenda Van Nest & Sandra Bennett for discussing institutional memberships at their meeting on February 4.

**Reports of Officers**

**Office of the President** – Bonnie L. Litvack, MD

Dr. Litvack reported that she participated on the virtual 2-day AMA NAC conference. Met with New York Congressional delegation to discuss vaccine supply. Dr. Litvack & Pat Clancy are on the Governor's Task Force and have been in communication with the Department of Health to discuss vaccine distribution to physician offices. On March 17, Drs. Rothberg, Dowling & Litvack will be speaking at a practice transformation initiative in combination with the AMA.

Dr. Litvack reminded everyone to get the word out about MSSNY's Peer to Peer Program. Lastly, it is very important that everyone register for Lobby Day.

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

Dr. Sellers reported that he finished a series of workshops with the Department of Health regarding price transparency methodology. This will allow patients to shop for price on medical services and will be an Internet site. Dr. Sellers attended the virtual AMA NAC conference. He purchased a practice transformation initiative boot camp which will help him in his practice to become more efficient and devote his time as MSSNY President. He will be meeting with MSSNY staff to review MSSNY committee appointments.

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

Dr. Mehta reported that MSSNY must focus on membership. We need to collaborate more with ethnic societies. Most important thing is to build a collaborative enterprise. We need to create a culture of trust & teamwork. CME is underutilized and we should promote the program. Dr. Mehta thanked the MSSNY leadership & staff for their hard work.

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

Dr. Fougner reported a few weeks ago he participated on the employed physicians Zoom call. There was a presentation by Mr. William DiCarlo, National Vice President & Legislative Director for the Transportation Communication International Union (TCU). Mr. DiCarlo provided a verbal presentation about unions. He noted challenging circumstances faced by employed physicians such as restrictive covenants imposed by large hospital systems that a union could help through creation of a collective bargaining unit. Lastly, Dr. Fougner stated that doctors day should be dedicated to fallen colleagues, those who are ill and those family members that have passed due to COVID.

Office of the Treasurer – Mark J. Adams, MD

Dr. Adams presented the Preliminary Financial Statement for the period 1/1/20–12/31/20  
**APPROVED**, The Preliminary Financial Statement

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

Dr. Latreille reported that the in-person HOD meeting will be held on September 18. The House will begin promptly at 8:00 a.m. on Saturday and continue until 6:00 p.m. MSSNY Resolutions to the AMA Annual meeting in June are due March 31, 2021. The Resolution Review Committee (RRC) will review resolutions and make recommendations regarding their acceptance as business of the House. The RRC will consider resolutions in the context of existing policy.

**Reports of Councilors (Informational)**

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

Report as submitted - Dr. Meyer reported that Kings County continues to work on institutional memberships within Brooklyn.

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

Report as submitted - Dr. Jakubowicz reported that both societies have complaints regarding issues with United Healthcare regarding not paying claims without extensive records on a regular basis.

**Nassau County Report** – Paul A. Pipia, MD

Report as submitted - Dr. Pipia reported that Nassau County Society moved to 666 Old Country Road, Garden City

Queens County Report – Saulius J. Skeivys, MD  
Report as submitted - Dr. Skeivys reported that Queens County Society acknowledged his involvement with the Million Hearts team & his 2020 Hypertension Control virtual video recording. Queens County had two CME live activities accredited by the Queens Academy of Medicine

Suffolk County Report – Daniel E. Choi, MD  
Report as submitted – The Suffolk County Society moved to a new location 331 E. Main Street, Patchogue. The County is very focused on doing local meetings with county legislators on the topic of vaccines. The county promoted MSSNY’s Peer to Peer Program and Physician Advocacy Day

Third District Branch Report – Brian P. Murray, MD  
Report as submitted – Dr. Murray reported that the Albany County Society is working with Albany Medical Center to get group membership back due to financial issues during the pandemic.

Fourth District Branch Report – Gregory L. Pinto, MD  
Report as submitted

Fifth District Branch Report – Barry Rabin, MD  
Report as submitted

Sixth District Branch Report – Robert A. Hesson, MD  
Dr. Hesson reported that the sixth district is trying to consolidate the administrative issues to have better finances. There are several counties that are essentially defunct. There are no officers and no reports.

Seventh District Branch Report – Janine L. Fogarty, MD  
Dr. Fogarty reported that the Monroe County Society continues to offer virtual presentations. Continues to collaborate with the Finger Lakes Vaccine Task Force, health departments & hospital systems to get vaccines.

Eighth District Branch Report – Mark R. Jajkowski, MD (Excused)  
Aimana ElBahtity, Executive Director of Erie Medical Society thanked MSSNY for partnering with Erie County in connection with the letter that was sent to Governor Cuomo asking to lift the ban on elective procedures in Erie County hospitals. Erie County is pleased to share that they have 98 new members since July, 2020.

Ninth District Branch Report – Thomas T. Lee, MD  
Report as submitted – Dr. Lee reported that Westchester County continues to work on institutional membership. WMCS/WAM plan to host their annual meeting in conjunction with the annual golf outing on June 22, 2021.

Medical Student Section Report – Shireen Saxena  
Ms. Saxena reported that the students section had their spring meeting and discussed how to keep chapters active and how to keep students engaged, especially now that everything is virtual.

Organized Medical Staff Section Report - Stephen F. Coccaro, MD-(Excused)  
(No written report submitted)

Resident & Fellow Section Report – Raymond Lorenzoni, MD  
Dr. Lorenzoni reported that elections will be done soon. Also, he reported that he is a member of the Heart Lung & Cancer Committee

Young Physician Section Report – L. Carlos Zapata, MD  
Dr. Zapata reported that the YPS met on February 3 and discussed resolution ideas for this year's HOD. YPS will submit three to six resolutions.

**Commissioners (Informational Items)**

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

Dr. Basile reported that MSSNY has rolled out the campaign for CareClix which is a MSSNY endorsed Telehealth company. MSSNY is in the final stages of negotiations with Bankers Health Group which will replace Bank of America.

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

Report from the Division of CME

*(no written/verbal report)*

Commissioner of Governmental Relations, Gregory L. Pinto, MD

**The following committee minutes were submitted for information:**

Committee on Quality Improvement & Patient Safety Minutes, 1/27/21

Employed Physicians Committee Minutes, 2/17/21

Long Term Care Committee Minutes, 1/21/21

Report from the Division of Governmental Affairs

Commissioner of Membership, David M. Jakubowicz, MD

Dr. Jakubowicz reported that the New Member Outreach Zoom meeting was held on February 3. The Membership Committee thanks Dr. Litvack, Dr. Rothberg & Dr. Podwall for their presentations covering gamut of legislative & public health activities. The Membership Committee will examine membership reports with the goal of conveying numbers of both institutional/group and individual members and improve MSSNY's billing process.

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

**The following committee minutes were submitted for information:**

Committee on Bioethics Minutes, 2/12/21  
Committee on Health Disparities Minutes, 1/22/21  
Heart, Lung, Cancer Committee Minutes, 2/3/21  
Committee on Infectious Diseases Minutes, 2/11/21  
Preventive Medicine & Family Health Committee Minutes

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

Dr. Murray reported that vaccines are important and safe. There are distribution issues and there are a number of people working on this. We need to keep working on the project and get people vaccinated so we can move forward.

**Report of the Executive Vice President, Troy J. Oechsner**

Membership Dues Revenue Schedule  
Group Institutional Dues Report

Mr. Oechsner thanked Mr. Schuh for his amazing work over the years and is looking forward to working with everyone. Mr. Oechsner referred the dues schedule & group institutional report to Mr. Schuh.

Mr. Schuh reported that the dues revenues have declined, and he noted that the Group Institutional Dues has become a very vital part of sustaining MSSNY, financially.

**Report of the General Counsel, Garfunkel Wild, Barry Cepelewicz, MD, Esq**  
*(no written/verbal report)*

**Report of the Alliance, Barbara Ellman**

Ms. Ellman reported that the Alliance is currently working on legislation to require girls lacrosse players to wear protective helmets due to an increase in injuries.

**Other Information/Announcements**

**The following were submitted for information:**

Sign-on letter to Extend Medicare Sequester  
Important Notice of Concern: Medical License Scam

**Adjournment** - There being no further business, a Motion was made, seconded and accepted. The virtual meeting adjourned at 3:30 p.m.