



Columbus Medical Association's

# On Call

Columbus' Goodhealth Advocate



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## Your Opinions Matter!

Have you responded to a CMA survey or poll recently? Have you shared your stance on healthcare reform, on reimbursement issues, on developments in the practice of medicine?

CMA wants to hear from you and know "where you stand" on the grand issues of the day.

Because the Columbus Medical Association has a well-deserved reputation and is viewed as a thought leader in the community, it is regularly approached for assessment as to where physicians stand on pressing medical issues. This reputation has been earned through the work of the association, its affiliate organizations and the presence CMA physicians have throughout greater Columbus.

In fact, civic leaders, media, elected officials

and other influential individuals and entities frequently consult with CMA to gain insight into physician opinion and what CMA, CMAF, COTS or PFC/VCN think about specific issues. The opinions expressed affect everything from allocation and distribution of dollars, to shaping public opinion.

Over the years, your voices have led to widespread changes from Ohio Revised Code (Tort Reform, Good Samaritan legal protection, Anti-Tobacco/Clean Air Legislation) to speaking out for patient protections and the physician-patient relationship.

So next time you see a polling question, opportunity to be interviewed, or survey—please respond. As a member, your voice carries clout!

## Changes in Employment Law Affect Physician Practices

*Attend or have your Practice Manager Attend CMA's Round Table to Understand These Changes.*

Attorney Susan Porter, Partner in the law firm of Schottenstein Zox & Dunn, Co., LPA, will facilitate a roundtable discussion on issues in Employment Law. In a follow-up to the fall 2009 program that Ms. Porter presented on Employment Law Updates, CMA practice managers and physicians who attended requested that Ms. Porter be invited to return to address more in-depth questions on issues such as legal methods to hire and fire, conducting personnel performance reviews, creating employee manuals, new twists in the Family Medical Leave Act, preventing sexual harassment charges, and other employment-related situations facing medical practices.

As the Firm's Employment Litigation Practice Area Coordinator, Ms. Porter has practiced law for over twenty-one years and is a specialist in Employment Law issues.

CMA will host this Network-at-Noon Roundtable discussion on Tuesday, February 23, 2010 at Commerce National Bank, 3650 Olentangy River Road, Columbus. In its mantra that it is better to be safe than sorry, the CMA is offering this opportunity to practices in order to share strategies, and explore common fact patterns. This program is a part of the CMA's *How to Tort-Proof Your Practice* Series.

The program will begin with registration and lunch at 11:30am on February 23, with the Roundtable discussion from 12noon to 1:00pm. Registration is \$35 per person for CMA member practices, and \$40 per person for non-member practices. Reservations can be made by contacting Francie Kaufman at (614) 240-7410 or fkaufman@goodhealthcolumbus.org.

## Regulations Issued Proposing a Definition of 'Meaningful Use' and Setting Standards for Electronic Health Record Incentive Program

The Centers for Medicare & Medicaid Services (CMS) and the Office of the National Coordinator for Health Information Technology (ONC) encourage public comment on two regulations recently issued that lay a foundation for improving quality, efficiency and safety through meaningful use of certified electronic health record (EHR) technology. The regulations will help implement the EHR incentive programs enacted under the American Recovery and Reinvestment Act of 2009 (Recovery Act).

A proposed rule issued by CMS outlines proposed provisions governing the EHR incentive programs, including defining the central concept of "meaningful use" of EHR technology. An interim final regulation (IFR) issued by ONC sets initial standards, implementation specifications, and certification criteria for EHR technology. Both regulations are open to public comment.

CMS's proposed regulation would define and specify how to demonstrate 'meaningful use' of EHR technology, which is a prerequisite for receiving the Medicare incentive payments.

CMS and ONC worked closely to develop the two rules and received input from hundreds of technical subject matters

experts, health care providers, and other key stakeholders.

Under the statute, HHS was required to adopt an initial set of standards for EHR technology by Dec. 31, 2009. The IFR will go into effect 30 days after publication, with an opportunity for public comment and refinement over the next 60 days. A final rule will be issued in 2010. "We strongly encourage stakeholders to provide comments on these standards and specifications," said National Coordinator for Health Information Technology David Blumenthal, M.D., M.P.P.

The Recovery Act established programs to provide incentive payments to eligible professionals and eligible hospitals participating in Medicare and Medicaid that adopt and make "meaningful use" of certified EHR technology. Incentive payments may begin as soon as October 2010 to eligible hospitals. Incentive payments to other eligible providers may begin in January 2011.

*The CMS proposed rule and fact sheets, may be viewed at [http://www.cms.hhs.gov/Recovery/11\\_HealthIT.asp](http://www.cms.hhs.gov/Recovery/11_HealthIT.asp)*

*ONC's interim final rule may be viewed at <http://healthit.hhs.gov/standardsandcertification>.*

## Tobacco Prevention Money to Be Used for Other Purposes

The 10th District Court of Appeals recently overturned the ruling that had prevented state leaders from liquidating the Ohio Tobacco Use Prevention and Control Endowment Fund. Gov. Ted Strickland and the General Assembly want to use the money, which was originally created to reduce tobacco use, for general budget items.

The funds, which total more than \$250 million, were received from a settlement with national tobacco product manufacturers. Appellate judges said in a 3-0 opinion that the General Assembly retains its power to legislate with respect to custodial accounts such as the endowment fund unless the accounts have specifically been posted off-limits through a constitutional amendment.

A tobacco use cessation and prevention group has said it will file an appeal with the Ohio Supreme Court.

## Protecting Your Patient's Privacy

***The Partnership between CMA Members and Shred-it Protects your Patient's Privacy as well as the Environment we all live in!***

At Shred-it we feel proud of our eco-friendly document shredding and how we are working with our clients to help save the environment.

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- All the paper that we shred for you is recycled into a wide assortment of paper products.
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***To find out about the CMA discount and how Shred-it can help you, contact Vice President of Sales, Michael P. Greff at 614.231.7470 or [mgreff@shreditcolumbus.com](mailto:mgreff@shreditcolumbus.com)***



## Resolutions Approved by CMA to be Sent to OSMA

Three resolutions from the Columbus Medical Association were sent to the Ohio State Medical Association for consideration of support. The resolutions were approved this month by the CMA Board.

Two of the resolutions are a result of the relationship between employed physicians, hospital systems and patients. In 2009, there were examples of employed physicians being terminated while their patients were not adequately notified, and/or not given proper information about future appointments or how to stay with their doctor, if desired. The CMA has been working extensively on the issue, including illuminating physician concerns through high-profile media coverage.

### Physician Patient Relationship

The CMA requests that unless an immediate threat to the life and health of patients exists, all termination of physician contracts with corporate entities must involve a 30 day written notice to the established patients of such physicians. Patients must be given forwarding information if requested and available and their records should be transferred if requested by the patient.

In additional, the corporate entity terminating the physician's employment must ensure adequate continuity of care after the physician contract is terminated; and that legislation to change the Ohio Revised Code shall be devised to

ensure patient rights to continuity of care and free choice of physician when their physician is terminated from corporate employment.

### Physician's Bill of Rights

CMA requests that, with many physicians now employed by hospital systems or group practices, a physician's bill of rights for contracting include the following:

- Clear provision stated within the contract for notification of the patient by the employer and/or the physician, by individual mailing, that the physician is leaving the practice;
- Provision that the notification include the physician's last date of employment;
- Provision that the notification include the physician's new employment location and contact information.

### Structure and Makeup of OSMA Council

The CMA believes the current geographic representation of OSMA Council no longer equitably represents the physician population of the state of Ohio and requests that such reapportionment of the geographic districts shall be done every ten years to accommodate geographic shifts in OSMA member population.

CMA recommends that the Committee on Nominations shall nominate candidates from the OSMA House of Delegates to run for six two year at large seats on the OSMA Council, each with full voting rights. Election of such at large Councilors shall take place at the Annual OSMA meeting of the House of Delegates with appropriate opportunity for the candidates to campaign. Three of the at large Councilors shall be elected in even numbered years and three shall be elected in odd numbered years. Each at large Councilor may serve three consecutive terms and then must sit out a term before being eligible for re election.

In addition, the current slotted Council Seat for the Organized Medical Staff shall be eliminated and the Organized Medical Staff Section shall be encouraged to run a member or members for one or more of the At Large Council Seats.

These resolutions, and others submitted from around the state, will be considered at the OSMA Annual Meeting in Columbus, April 10 & 11.

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## Endorsed Services

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### Academy Medical Services

Is the place to call when you need temporary and permanent staffing support. CMA members receive a 5% discount. Contact: Mr. Shirley L. Turner, III, Director of Academy Medical Services, (614) 416-5700

### Frank Gates/Avizent

Is an industry leader in workers' compensation group services. Many member offices have reduced their premiums – up to the BWC's maximum discount – with the expert services and savings available through Frank Gates. Call Andy Frank at 614-793-5468.

### Healthcare Underwriters Group Mutual of Ohio

A not-for-profit physician owned medical liability insurance company domiciled In Ohio and licensed by ODI. CMA members serving on Board of Directors and Claims Committee. Call Edward Weiss, Sales Manager, at 776-3330.

### Medical Resources

Offers full-line supplier of new, used and refurbished medical equipment, furniture/design and supplies at discount pricing exclusive to CMA members. Contact Suzi Reichenbach at 740-201-3300, ext. 112.

### Practitioner Credential

Verification Center (PCVC) Helps reduce the paperwork and time involved in the hospital privileges application process. Contact Rita Doeberl at 937-578-0030.

### Shred-it

Shred-it is the world's largest mobile on-site document shredding and recycling company. Discounts are available to CMA members. Call Steve Elsass at 614-231-7470.

### Willis

Is one of Ohio's largest insurance brokers. They can secure significant discounts for members while providing the highest level of service. Contact Mike Turney with Willis at 614-326-4875 for more information about their insurance products.

### Friends of CMA

Rainbow Cleaners.  
Call Vince Papa at 614-291-8144.

## Please join us for Ohio State's Comprehensive Wound Care Center's Advances in Wound Care and HBO Update 2010

On Saturday, March 27  
At The Ohio State University Medical Center  
Biomedical Research Tower  
460 W. 12th Ave.  
Columbus

This conference will increase awareness regarding nutrition, psychosocial aspects and limb salvage as it relate to wounds as well as discuss the latest treatment modalities and research.

The Ohio State University Medical Center, Center for Continuing Medical Education is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians. The Ohio State University Medical Center designates this educational activity for a maximum of 7.25 AMA PRA Category 1 Credits™. Physicians should only claim credit commensurate with the extent of their participation in the activity.

For more information go to: [ccme.osu.edu](http://ccme.osu.edu)  
and click on Upcoming Courses or contact  
Lindsay Cowgill at (614) 293-7397.



# Calendar of Events

## Network at Noon Series Employment Law Roundtable

A roundtable discussion centered around YOUR burning issues, including those many have asked to be addressed:

- Legal methods to hire and fire
- Conducting personnel performance reviews
- Creating employee manuals
- New twists in the Family Medical Leave Act
- Preventing sexual harassment charges

Facilitator: Susan Porter, Partner  
Schottenstein Zox & Dunn Co., LPA

*Tuesday, February 23, 2010*

11:30am – 12noon Registration & Lunch

12noon – 1:00pm Presentation

Commerce National Bank Building

3650 Olentangy River Road, Columbus

\$35/person CMA member offices; \$40/  
person non members

Contact Francie Kaufman (614) 240-7410  
or [fkaufman@goodhealthcolumbus.org](mailto:fkaufman@goodhealthcolumbus.org)

## CMA's H1N1 Flu Update

Public health officials are preparing for a possible third wave of illness from the H1N1 flu pandemic. Past pandemics have shown each wave to be more severe than the one before.

The H1N1 vaccine is the most important step you can take to be protected, as soon as possible. More than 50% of US residents are estimated to still be susceptible to H1N1 infection and only about 25% have been vaccinated to date, according to CDC.

Children age 9 and younger need two doses for maximum protection against H1N1 flu. According to CDC, children under 3 years old who get just one of the two doses have 25%

immunity and children 3-9 years old have 35% immunity with one dose.

Many physicians are being asked by patients if they should still be vaccinated if they've had the flu in 2009. Patients should be instructed to still be vaccinated unless they had H1N1 flu as confirmed by a RT-PCR test. This test is different from rapid flu tests. Unfortunately since few people are being tested with RT-PCR tests, most will not know for sure if they have been infected with H1N1 flu or a different virus. Getting the vaccine if a patient has already had H1N1 flu is not harmful.



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# Save the Date for this year's CMA Annual Gala & Fundraiser

for the Physicians Free Clinic/Voluntary Care Network

*CMA's Annual Gala will be held on Friday, May 21, 2010 at the Bar of Modern Art. You know from past years we like to throw parties and this year is no exception – Join us for a Party in Paris! And what's Paris without Art? We'll enjoy the exhibit "The Art of Medicine" created by talented central Ohio physician artists. Drs. Bob Falcone & Rich Orlando's work will be in the CMA "collection" and will be donated that evening for sale with proceeds going to the Physicians Free Clinic/Voluntary Care Network.*

There will also be a soiree honoring your colleagues who are celebrating 50 years in medicine:

Narciso S. Albarracin, Jr., MD  
Francis E. Barnes, MD  
Herbert A. Bronstein, MD  
Horace B. Davidson, Jr., MD  
John D. Dietsch, MD  
Monroe D. Dowling, Jr., MD  
Sanders M. Farber, MD  
Robert J. Freedy, MD  
Thomas J. Hawk, MD  
Victor H. Hinrichs, MD  
Paul F. Keith, MD  
James W. Kilman, MD  
Moon H. Kim, MD  
Daniel E. Lewis, MD

Joseph M. McManes, MD  
Joseph F. Meara, MD  
Tearle L. Meyer, MD  
Andrew W. Miglets, Jr., MD  
Stephen Miklosik, MD  
Saeeda Mobin-Uddin, MD  
John L. Mormol, MD  
Manuel Tzagournis, MD  
Philip E. Vanik, MD  
Victor R VerMeulen, Sr., MD  
George W. Waylonis, MD  
Robert A. Weisenberger, MD  
Daniel E. Weltner, MD

## New Members January 2010

Franklin D. Bressler, MD  
Jeffrey H. Donaldson, MD  
Scott E. Hickey, MD  
James C. Latshaw, MD  
G. David Long, MD (Affiliate)  
Marlo O. Van Steyn, MD

We would like to include  
others' work in the May 21  
exhibit "The Art of Medicine".

Let us know if you are an artist or can  
provide us with a name of a physician  
and/or physician spouse artist by  
contacting CMA Director of Member  
Relations Diane May at 240-7410 or  
[dmay@goodhealthcolumbus.org](mailto:dmay@goodhealthcolumbus.org).

Watch future issues of On Call for more details.

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