



Physician Advocate

The Harris County Medical Society serves as an advocate for physicians in Harris County.

Physician Advocate is produced quarterly to provide recent highlights of HCMS advocacy on behalf of members and their patients.

The 79th Texas Legislative Session has convened, and the **Harris County Medical Society and Texas Medical Association (TMA) are working around the clock to protect your interest and that of your patients.** HCMS and TMA are:

Opposing a new tax on physicians.

The tax will hurt Texans' access to affordable, quality health care. TMA Council on Legislation Chair and HCMS member **Dr. Spencer R. Berthelsen** testified before the House Ways and Means Committee about the new tax.

Supporting Senate Bill 5 to reorganize the Texas Workers' Compensation Commission. TMA representatives testified before the Senate State Affairs Committee on SB 5.

Fighting vigorously against Senate Bills 698 and 762, which would prohibit facility-based physicians and health care providers from billing enrollees for out-of-network health care services.

Advocating for House Bill 1776, making it unlawful to discriminate, limit or otherwise direct an insured's choice of a physician within an HMO delivery network due to economic profiling.

Advocating for restoration of Medicaid and CHIP funding.

Advocating for restoration of funding for Graduate Medical Education; and

Fighting efforts by podiatrists, optometrists, psychologists, and nurse anesthetists to increase their scope of practice.

More than 80 HCMS physicians and spouses have traveled to Austin to participate in TMA's First Tuesdays at the Capitol events. In February, **Dr. Donald R. Butts** arranged a special luncheon with Rep. Debbie Riddle, which included several of our lawmakers.

HCMS President Elect **Dr. Diana L. Fite** and HCMS Board of Medical Legislation member **Dr. Karen E. Hill** were present.

As a result of the passage of Proposition 12

and TMA's liability reforms, American Physicians Insurance Exchange (APIE) and the Doctors Company (14 percent) announced premium reductions for medical liability, effective May 1. Texas Medical Liability Trust (TMLT) already had two rate reductions in the last year, resulting in a 17 percent reduction.

On Feb. 15, HCMS President **Dr. Robert C. Vanzant** testified at the **Houston City Council in favor of a stronger smoking ordinance. All the major media was present and aired the story.**

The *Houston Business Journal*, Feb. 25, published an interview with **Dr. Vanzant**, and **Marvin Zindler of Channel 13 (ABC)** aired an interview with Dr. Vanzant on March 1 on the **smoking ordinance.**

On Feb. 17, **Dr. Vanzant** sent **letters to the city council and mayor and e-mailed 6,000 HCMS physicians to write the city council about a stronger smoking ordinance.**

On March 2, **Dr. Lewis E. Foxhall**, representing HCMS and M.D. Anderson Cancer Center, **testified at the Houston City Council on the smoking ordinance.**

In December, **HCMS distributed more than 6,000 faxes and e-mails** to physicians and hospitals requesting **Tsunami relief.** From the plea, Medical Bridges has been able to send a 1,000 pound pallet a week to Sri Lanka.

Texas Medical Center News, Feb. 15, published a story about what HCMS did for **Tsunami relief**, and HCMS referred information to *Houston Business Journal* and *Rumbo*, a Spanish-language magazine, for a story.

Jan. 5, HCMS scheduled an interview **with Dr. Vanzant with KTRH-740 AM Radio** to discuss **Proposition 12 and medical liability.**

Dec. 30, TMA responded to *Houston*

Chronicle's editorial on the medical profession. It was published as a letter to the editor.

Dec. 15, *Texas Medical Center News* wrote about the collaborative blood effort with **HCMS and the five blood collecting organizations** in its President's column.

Jan. 15, *Texas Medical Center News* published article on **the involvement of HCMS with the five blood collecting groups.**

Nov. 5, HCMS scheduled **Dr. Vanzant and Dr. Edward R. Rensimer** to be interviewed by **KHOU-TV (CBS)** about **Flumist and the flu shortage.**

Dec. 1, **HCMS distributed more than 100 media alerts** on the HCMS Alliance Touch, Smell & Hear event.

Dec. 6-7, Touch, Smell & Hear was featured on **KUHF-FM 88.7 Radio (NPR), KPRC-TV (NBC), KHOU-TV (CBS), KXLN-TV (Univision-Spanish), Houston Style Magazine, Texas Medical Center News, and the front page of the City Section of the Houston Chronicle.**

Jan. 18, **HCMS distributed over 100 news releases and photos** to media about the HCMS/HAM Installation of Officers prior to the event and **45 post releases and photos.**

Houston Business Journal, Houston Chronicle, The University of Texas Medical School at Houston's Scoop, and Texas Medical Center News published articles and photographs of the new officers.

In the **D-Tag Tattoo Removal Program**, chaired by **Dr. Michael V. Kelly II**, HCMS schedules dermatologists and plastic surgeons each month to volunteer their time to remove tattoos from youth that identify them with antisocial behavior so they can re-enter society. Since 1997, the program has **assisted more than 2,000 youth.**

On Dec. 4-7, **Drs. Vanzant, Charles W. Bailey, Mary W. Geda, William H. Fleming III, Robert B. Morrow, Diana L. Fite, A. Tomas Garcia III, Kenneth L. Mattox, and Priscilla Ray** represented HCMS at the American Medical Association (AMA) interim meeting in Atlanta.

The AMA accepted a resolution drafted by 2004 Chair of HCMS Board on Socioeconomics. **Dr. Philip A. Matorin drafted a resolution concerning the National Provider Identification (NPI).** The resolution, **now AMA policy**, states that AMA will work closely with the Centers for Medicare and Medicaid Services to introduce safeguards and penalties surrounding the use of the NPI to protect physicians' privacy, integrity, autonomy, and ability to care for patients.

On Jan. 28, **AMA President Dr. John C. Nelson**, who was in town because of his speaking engagement at the **HCMS/HAM Installation of Officers**, addressed **more than 200 business leaders at a Greater Houston Partnership luncheon.**

HCMS staff met with Tim Turner, a public member of the Texas State Board of Medical Examiners (TSBME), about **creating a regular dialogue between HCMS and TSBME.** He has a **proposal to create deferred adjudication for minor infractions**, such as failure to receive an hour CME for ethics, etc. **Turner attended the HCMS Board of Ethics** meeting on Feb. 10, as a follow-up.

Dr. Vanzant sent a **letter to Medical Protective (MedPro) opposing its medical liability rate increase**, with a copy to TDI. In response, TDI stated it is working on reversing the increase and has a **legislative bill to close the loophole allowing the increase.**

HCMS is working with TMA to have a **TMA Physician Services** staff member office in the HCMS offices. During the 90-day trial period, **HCMS physicians will not be charged traveling expenses.**

On Jan. 31, **HCMS set up a meeting** with representatives from the State's Medicaid carrier, the Primary Care Case Management network and Health & Human Services Commission with The University of Texas Health Science Center and Baylor College of Medicine.

The six branches of HCMS held meetings in February and March on **employee theft and trends in malpractice allegations for ethics continuing medical education credit.**

On Jan. 17, TMA met with HCMS Membership Committee, co-chaired by **Dr. William S. Gilmer** and **Dr. Nora A. Janjan**, and HCMS Communications Task Force, chaired by **Dr. A. Tomas Garcia III**, to discuss redesigning HCMS and TMA Web sites.

TMA and 10 state physician organizations have formed **PatientsFirst Coalition** to educate legislators about non-physician groups who seek to perform medical acts.

On Jan. 28, the HCMS and Houston Academy of Medicine honored Dr. John Bilezikian of New York with the **John P. McGovern Compleat Physician Award.**

HCMS and TMA launched a letter-writing campaign to lawmakers to **protest** the proposed plan to **eliminate the Primary Care Case Management model (PCCM)**, also known as Texas Health Network, and the expansion of all STAR+PLUS patients into Medicaid HMOs.

HCMS is hosting the meetings for the Harris County Public Health Care System Council recently created by the Harris County Commissioners Court to address 22 specific public health issues. Rob Mosbacher is chair of the Council and **Dr. Lewis E. Foxhall** is the Vice Chair. HCMS members serving on the Council are **Drs. Peter G. Traber, Mike D. McKinney, Judith L. Craven, David Buck, Guy L. Clifton, and Angela A. Shippy.**

In January, HCMS leaders, **Drs. Vanzant, Alan P. Glombicki, Nora A. Janjan, and William S. Gilmer** met with **Dr. Herminia Palacio**, executive director of the Harris County Public Health and Environmental Services, and representatives of the county health department, the Mental Health and Mental Retardation Authority, and the Harris County Hospital District to discuss HCMS activities and the agencies' efforts to collaborate.

2004 HCMS president **Dr. Donald R. Butts** sent comments to the **Texas Department of Insurance in support of proposed rules that would mandate HMOs with inadequate networks** to pay billed charges to out-of-network, hospital-based physicians to alleviate the financial burden on the HMO enrollee.

In an effort to combat economic credentialing by managed care organizations, **TMA filed HB 1776 and has been investigating ways to measure quality issues and patient satisfaction**, factors that must be taken into consideration in selecting physician networks.

Funded by the RICO settlements with CIGNA and Aetna, TMA established the TMA Special Funds Foundation (TMASFF) for charitable, educational, and scientific purposes. TMA has applied for a grant to provide funds. TMA has applied for a grant from TMASFF to help provide physicians with the resources through health information technology to ensure the viability of their practices.

On Jan. 31, TMA held a newsletter conference outlining **Healthy Vision 2010: Diagnosis & Treatment**, a probing report by the TMA describing Texas' health care problems and Texas doctors' prescription to treat them.

After four years of meetings with HCMS and the five blood collecting organizations, Houston's blood supply has stabilized as a result of the Commit for Life program, a partnership between donors and the blood collecting organizations.