



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.

Legislative Advocacy — The 2005 Texas Legislative session has adjourned. Thanks to the extraordinary efforts of the Texas Medical Association (TMA) and the Harris County Medical Society (HCMS), the session was a successful one for you and your patients. More than 100 HCMS physicians and spouses traveled to Austin to participate in the TMA's "First Tuesdays at the Capitol" events. Key messages were delivered on issues of physician ownership, proposed bans on balanced billing, scope of practice issues (podiatry and optometry), Graduate Medical Education funding, restoration services for CHIP and Medicaid, and limits on taxes. HCMS thanks all who took time to do this important work.

TexMed 2005 — At TexMed, the TMA's annual meeting May 12-14, the Medical Society's resolutions fared well with all being approved or referred for further review. Former HCMS **President Dr. William H. Fleming III** was elected Speaker of the House of Delegates and former HCMS **President Dr. Priscilla Ray** was re-elected Secretary/Treasurer. HCMS thanks **Dr. Spencer R. Berthelsen**, who completed his tenure as chair of the TMA Council on Legislation, and **Dr. Lewis E. Foxhall**, who finished his term as chair of the TMA Council on Socioeconomics.

Fixing the Medicare Flaw— HCMS joined the American Medical Society (AMA) in launching a nationwide campaign to draw attention to an imminent access to care problem for Texas' seniors. HCMS president **Dr. Robert Vanzant**, and **Dr. James Rohack**, chair of the AMA Board of Trustees, and **Dr. Bohn Allen**, immediate past president of TMA, held a news conference on June 7 noting that if Congress does not act, payments to physicians are scheduled to be cut well below the cost of providing care, forcing physicians to make

difficult decisions about limiting the number of new Medicare patients. They urged support of bipartisan legislation pending in both the U.S. House and Senate that would fix the fatally flawed Medicare physician payment formula. The AMA is also running radio ads throughout East Texas.

Practice Information— HCMS made *Business of Medicine* presentations to the medical staff at Memorial Hermann N.W. Hospital on March 22, the Masters in Healthcare Administration class at the Texas Woman's University on April 20, and the HCMS Council of Young Physicians on May 5. The presentation provided practical information to increase the efficiency and profitability of the physician's practice.

Charitable Immunities—HCMS collected information on charitable immunities for physicians providing voluntary health care.

Honoring Local Medical Media—HCMS and Houston Academy of Medicine honored outstanding medical/health reporting at the 2005 Francis C. Moore, MD, Medical Journalism Awards luncheon on May 9. HCMS President **Dr. Robert Vanzant** and HAM President **Dr. A. Tomas Garcia III** presented the awards to the reporters. Robert Mosbacher, chair of the Harris County Public Health Care System Council, and **Dr. Lewis E. Foxhall**, vice chair of the Council, were the featured speakers at the luncheon. Several of the media outlets reported on the event.

Medicaid Regional Advisory Committee— HCMS staff attended the second quarter meeting on April 28. Some items discussed were Medicaid expansion, Medicare Part D and the preferred drug list.

Harris County Public Health Care System Council—**HCMS is hosting and partici-**

pating in the meetings for the Harris County Public Health Care System Council, which was created by the Harris County Commissioners Court to address 22 specific public health issues. Rob Mosbacher is chair of the Council and HCMS member **Dr. Lewis Foxhall** is the vice chair. HCMS members serving on the Council are **Drs. Peter Traber, Mike McKinney, Judith Craven, David Buck, Guy Clifton, and Angela Shippy**. The Council's subcommittees have established priority projects that can be accomplished in a short time to provide medical care for the uninsured.

Media Coverage—HCMS had many positive stories in the media which included:

- **Dr. Alberto Barroso** was interviewed by *Houston Business Journal* on reimbursement rates for "Doctors Collaborate with California Firm on Midtown Center," March 18-24 issue.

- **Dr. Donald Collin**, president of the Houston Society of Plastic Surgeons was interviewed by KHOU-TV (CBS) about the FDA's ruling on silicon gel implants.

- KTRK-TV (ABC) and KUHF 88.7 FM (NPR), May 9, ran a story on the Francis C. Moore Awards.

- *Houston Chronicle*, April 27, interviewed HCMS President **Dr. Robert Vanzant** on the Mayor's immunization report.

- March 29, HCMS provided information to the *Houston Chronicle* about the polio vaccine and the Medical Society's historical role with it.

- April 5, HCMS provided information to KUHT TV (PBS) on quality improvements in health care for a possible story.

April 6, HCMS provided information to the HCMS Alliance for a story on the Houston Academy of Medicine and the charitable works HCMS conducts.

- May 10, HCMS provided KTMD-TV Channel 47 (Telemundo) information on the HCMS D-Tag Tattoo Removal program.

- April 19, KHOU-TV (CBS) interviewed **Dr. Kim Brady** for a story on physicians who use e-mail to communicate with their patients, and/or physicians with paperless practices.

- May 9, KUHF 88.7 FM (NPR) interviewed **Dr. Lewis Foxhall**, vice chair of the Harris County Public Health Care System Council, and Rob Mosbacher, chair of the Council, at the HCMS/HAM Francis C. Moore Luncheon about the public health issues in the Houston area and the Council's plans to solve them.

- *Houston Chronicle*, KUHF 88.7 FM (NPR), KPFT 90.1 FM, and *EIR magazine* attended a news conference June 7 on halting Medicare cuts with AMA Board Chair **Dr. James Rohack**, TMA's Immediate Past President **Dr. Bohn Allen** and HCMS President **Dr. Robert Vanzant**.

- *TMA's Anson Jones Award*— **Dr. Berkeley Powell** and staff from TMA and HCMS presented Paul Pendergraft of KUHF 88.7 FM (NPR) with TMA's Anson Jones, MD, Award at his office in front of his colleagues on April 27.

Meetings with Medical Schools—HCMS President **Dr. Robert Vanzant**, TMA's Immediate Past President **Dr. Bohn Allen**, TMA's Chair of the Council on Medical Education **Dr. Stanley Fisch**, and staff of HCMS and TMA met with University of Texas Medical School at Houston and Baylor College of Medicine on April 8 to discuss issues of concern to the medical schools. The issues included need for additional funding, challenges for faculty, stem cell research, to name a few. The meetings also identified additional ways HCMS and TMA can be of value to the institutions.

HEB RediClinics—HCMS President **Dr. Robert Vanzant**, **Dr. Paul Handel** and

HCMS staff met with HEB to learn about its plans to open medical clinics in five of its Houston stores. Its plans were reviewed by the HCMS Board on Socioeconomics. The board sent HEB a letter addressing its concerns about continuity of care.

Volunteer Specialty Network—The Gateway to Care organization, a nonprofit that has led local efforts to establish Federally Qualified Health Clinics (FQHCs), is now establishing a voluntary specialty physician network to care for referrals from the FQHCs and other area nonprofit clinics.

HCMS Business Expo—HCMS provided physicians with free seminars for CME credit and information on services and vendors that could benefit the doctors' practices at the Business Expo, April 16.

Reimbursement Consultations—Free private reimbursement consultations with a TMA reimbursement expert were held for physicians and their staffs May 3-6 at the HCMS offices.

HCMS Branches—HCMS branch societies offered CME credits at their meetings on subjects, such as health savings accounts—how they affect payment and collections; employee theft; and current trends in malpractice allegations.

Socioeconomic Advocacy—In the past quarter, HCMS and TMA have had numerous successes in working with Medicaid and the health plans for policy changes. Many of the policy changes have resulted in payments to physicians who had previously been denied payment for services rendered.

Post Proposition 12—At TexMed 2005, the TMA Committee on Professional Liability distributed information regarding the growth in the number of physicians practicing in Texas since the passage of Prop 12,

TMA's successful efforts to have placed caps on non-economic awards in medical liability cases. Statewide the number of physicians, particularly high-risk specialties, has increased. Harris County has grown by 689, including 52 emergency medicine physicians, 19 orthopedic surgeons, 16 neurologists, 6 neonatologists, 7 pediatric cardiologists, 17 nephrologists, and 12 rheumatologists. The cost of premiums for liability insurance has decreased more than 16 percent since 2003.

Pay for Performance—**Drs. Robert Vanzant, Lewis E. Foxhall, Elizabeth Torres** and **HCMS staff** attended a conference on Medicare's pay-for-performance program, the Centers for Medicare & Medicaid Service's pilot project to lower Medicare costs and improve health care quality by offering to return to physicians a portion of the money that they save the government. The AMA has adopted principles and guidelines for the pay-for-performance programs.

Bridges to Excellence—HCMS Managed Care Committee hosted representatives from the Bridges to Excellence organization on April 5. The audience included employers and health plan representatives as well as physicians.

More HMO Settlements in RICO Case—Both HealthNet and Prudential Financial reached agreements with the TMA, et al legal team in the federal, class-action, antiracketeering lawsuit against the nation's largest HMOs. HealthNet, which does not currently operate in Texas, agreed to pay \$40 million in damages to physicians and make an estimated \$80 million worth of physician- and patient-friendly changes to its business practices. Prudential, which no longer writes health insurance, agreed to pay \$22.2 million to physicians.