



PhysicianAdvocate

WINTER 2006

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.

Medicare Cuts Halted—Thanks to efforts by physicians, American Medical Association (AMA), Texas Medical Association (TMA), and local county medical societies, Congress has stopped the 2006 cut of 4.4 percent by freezing payments at 2005 rates. The AMA will continue to advocate for a fair physician payment formula based on practice costs. TMA with local county medical societies held news conferences across the state to focus public attention on the Medicare/Medicaid debates in Washington. **HCMS 2005 President Dr. Robert Vanzant, AMA Board Chair Dr. J. James Rohack and TMA Immediate Past President Dr. Bohn Allen** participated in a joint news conference in Houston in June.

Medicare Formula—In December, **HCMS President Dr. Diana Fite represented HCMS at a meeting with U.S. Rep. John Culberson and U.S. Rep. Joe Barton**, chair of the House Energy and Commerce Committee that has jurisdiction over the Medicare and Medicaid programs. Dr. Fite communicated the need for a fix to the formula for Medicare payments to physicians.

Tax Reform—In January, **Dr. Patrick Carter**, a family practitioner with Kelsey-Seybold Clinic, testified before the Texas Tax Reform Commission that physician practices are not typical businesses; therefore, should not be subject to business activity taxes.

Lawsuit Settlements—HCMS, TMA and AMA were participants in the RICO litigation against managed care companies. Settlements have been reached with Aetna, CIGNA, Health Net Inc., Prudential, Anthem/Wellpoint, and Humana. The trial date for the remaining defendants has been changed from April 17 to Sept. 18. The settlements offer prospective relief for physicians through changes of practices including the clinical definition of medical necessity, prohibition of downcoding E & M codes, disclosure of fee schedules, and payment rules. For information on the business changes required, go to www.ama-assn.org/go/settlements.

Strategic Planning—The HCMS Executive Board approved the Strategic Planning Committee's final

list of goals, objectives and strategies for 2006. The objectives were ranked to assist with development of priorities for the year, which includes performance measurements for each priority.

Flu Vaccine—HCMS staff met with representatives of Sanofi Pasteur (Aventis) to determine the problem with the distribution of flu vaccines to physicians. In December, **Drs. Robert Vanzant, Diana Fite, and Lewis Foxhall sent a letter to Food and Drug Administration Acting Commissioner Dr. Andrew von Eschenbach**, requesting that he address the National Centers for Disease Control and Prevention's guidelines for vaccine distribution policies that favor the large purchasers over small.

Business of Medicine—HCMS assisted physician members with the business side of their medical practice by making several presentations on the "Business of Medicine" throughout the year at branch society meetings, medical staff meetings, special seminars, and by providing articles in the *Harris County Physician Newsletter* and on the HCMS Web site, www.hcms.org.

Texas Medical Board—On Dec. 2, 2005, HCMS staff traveled to Austin to visit with senior staff of the Texas Medical Board in an effort to garner information that will assist physician members in their dealings with the Board.

Common Computer IDs and Passwords—HCMS staff met with the Texas Medical Center Council Inter-Institutional Collaboration Committee to present physicians' concerns about maintaining multiple computer identification numbers and passwords for each of the hospital's record system. As a result, the CEOs and their representatives voted to form an Information Technology Subcommittee to discuss this issue and other common IT problems.

New Member Reception—HCMS held a new member/young physician reception on Oct. 10 in the John P. McGovern Museum of Health & Medical Science to introduce these physicians to the HCMS. More than 100 physicians and their families attended the reception, which occurred under the leadership of **Dr. Nora Janjan** and

Dr. William Gilmer, co-chairs of the Membership Committee, and **Dr. John Hyun**, chair of the Council of Young Physicians.

TMA Fall Leadership Conference—HAM President Dr. Lewis Foxhall provided information to a panel recapping the Medical Society's and its member physicians' activities assisting Katrina evacuees.

Texas Medical Foundation Health Quality Institute Meeting—On Oct. 6, HCMS staff met with the TMF medical director and director of quality to discuss electronic medical records, pay for performance and quality initiatives.

HCMS Honored for Service to Community—Mayor Bill White and Harris County Judge Robert Eckels attended the HCMS/HAM Installation of Officers Jan. 27 to present HCMS with a proclamation in honor of the work the Medical Society and its member physicians provided during Hurricane Katrina.

Planning for Flu Pandemic—HCMS staff attended a Nov. 28 planning session on preparing Houston for an avian flu pandemic. The exercise was lead by the U.S. Department of Homeland Security experts. Participants included Harris County Judge Robert Eckels and senior members of the city and county health departments and disaster preparedness departments.

HCMS Honored Dr. Kathleen Foley—HCMS and Houston Academy of Medicine on Jan. 27 honored Dr. Kathleen Foley, a New York City neurologist, with the John P. McGovern Compleat Physician Award for exemplifying the Oslerian ideals of medical excellence, humane and ethical care, commitment to medical humanities and writing, research, and harmony between the academic and medical practitioner.

Media Training—Members of the HCMS Executive Board attended a media training hosted by HCMS and conducted by TMA media experts. The following physicians participated: HCMS President Elect **Dr. Michael Kelly**, President of Southwest Branch **Dr. Benjamin Edery**, HCMS Member-at Large **Dr. William Gilmer**, and Chair

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of Board of Ethics **Dr. Charles Katz**.

D-Tag Tattoo Removal Program—In the D-Tag Program, chaired by HCMS President Elect **Dr. Michael Kelly**, HCMS schedules dermatologists and plastic surgeons each month to volunteer their time to remove gang-related tattoos from youth so that they can re-enter society. The program has assisted more than 2,000 youth since its beginning in 1997.

CMS Delegated Credentialing—HCMS, Galveston County Medical Society and three area medical school presidents joined TrailBlazer Health Enterprises, the regional Medicare intermediary, to request the Centers for Medicare & Medicaid Services to establish a pilot project for delegated credentialing.

Communications Advocacy Campaigns—HCMS is working with TMA, and Dallas, Bexar, and El Paso County Medical Societies to develop communications advocacy campaigns. The group has a conference call twice a month to discuss issues and campaign plans. Other counties are planning to join the conference calls.

Resolving Insurance Issues—HCMS continues to help physicians with their hassles with insurance companies through the HCMS Hassle Factor Log, located on page 562 of the 2005 HCMS/HAM Pictorial Roster. HCMS has helped physicians collect more than \$9 million in underpayments.

Prop 12—As a result of TMA-sponsored tort reform and the constitutional amendment, Proposition 12, medical liability rates for physicians continue to plummet, as do the number of lawsuits filed.

CME—HCMS branch societies continued to provide Continuing Medical Education opportunities to assist physicians with the Texas Medical Board requirements for license renewal.

Coding and Collections—HCMS continues to maintain its list-serve for clinic administrators and physicians' office staff to keep them apprised of late-breaking changes in coding and collections.

Media Coverage—

HCMS has had many positive stories published or aired in the media:

Houston Business Journal (Jan. 18) and *Texas Medical Center News* (Feb. 1) published information on the new HCMS and HAM officers. All local media received news releases on the new officers and branch officers.

TMA President Dr. Gunby, TMA and HCMS staff met with *Houston Business Journal's* medical/health reporter on Jan 27. As a result, the *Houston Business Journal* interviewed **HCMS President Dr. Diana Fite** for a profile Feb. 1.

Houston Business Journal interviewed **Dr. Michael Speer** for an article published Jan. 20-26 on the HEB RediClinics. Also, HCMS provided information to *Texas Medicine Magazine* and for an article in *Nonfood Strategies*, a New York newspaper.

KTRK-TV (ABC-Channel 13) interviewed **Dr. Diana Fite** on Jan. 12 on the Emergency Medicine report.

Houston Chronicle interviewed **Dr. Charles Katz** for an article on allergies published Feb. 3.

HCMS provided information to *Houston Chronicle* for an article published on Jan. 15 on medical personnel moving to Houston after Hurricane Katrina.

Texas Medical Center News, Dec. 1 quoted **Dr. Robert Vanzant** in "Tobacco Taboo in World's Largest Medical Center: Texas Medical Center Campus to Go Smoke Free May 1."

Dr. Robert Vanzant was interviewed on Sept. 23 by KTRK-TV (ABC) on being prepared for a hurricane before the storm.

In September, HCMS scheduled **Dr. Priscilla Ray** to talk with CNN-TV on post traumatic stress of the refugees of Hurricane Katrina.

HCMS scheduled interviews on Oct. 12 with Houston Fire Department Medical Director **Dr. David Persse**, Harris County Public Health Care System Council Chair **Dr. Lewis Foxhall**,

and City of Houston Chief Epidemiologist Cindy Kilborn for a story on the city's hurricane preparations.

Dr. Robert Vanzant was interviewed for a story on the flu vaccine by KTRK-TV (ABC) on Oct. 18.

Dr. Robert Vanzant was interviewed by the *Houston Business Journal* for the Oct. 7 article, "Two years after medical reform, rate cuts bring relief to doctors."

A Peter Jennings Special on ABC, Dec. 15, 2005, interviewed **Dr. Kenneth Mattox** for a special national hour-long segment on health insurance.

Texas Medical Center News, *Houston Chronicle*, KPRC-TV (NBC) and KTRK-TV (ABC) in December published/aired the HCMS Alliance's Touch, Smell & Hear Holiday Party for children with physical and mental challenges.

On Oct. 20, *Houston Chronicle*, *Daily Court Review* and *Houston Bar Bulletin* published information on the Interprofessional Drug Education Alliance Program, in which HCMS physicians partner with Houston Bar Association attorneys to inform Houston-area fifth graders about the consequences of using drugs and alcohol.

On Oct. 26, HCMS worked with TMF/TMA on press conference "100K Lives" Campaign on increasing patient lives in hospitals. KUHF (88.7 FM NPR) ran story and interviewed **Dr. Robert Gunby**, TMA president, and **Dr. William Gamel**, CEO of TMF Health Quality Institute.