



SCMA News Briefs

THE MONTHLY NEWSLETTER OF THE SONOMA COUNTY MEDICAL ASSOCIATION

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May 2010

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Still time to RSVP for May 20 Wine & Cheese Reception

All local physicians and their spouses or guests are invited to SCMA's 10th annual Wine & Cheese Reception on Thursday evening, May 20, at the Landmark Winery in Kenwood. The event is utterly free for SCMA members and a mere \$35 for nonmembers. To RSVP, contact Rachel Pandolfi at 525-4375 or rachel@scma.org.

The featured guest will be Dustin Corcoran, the new chief executive of the California Medical Association. Corcoran, who has worked for CMA since 1998, brings an outstanding record for skilled legislative advocacy to his new role as CEO. He will be available at the reception to answer members' questions and discuss CMA activities.

The relaxed collegiality of the event is enhanced by a superb selection of fine wines, cheeses and hors d'oeuvres, as well as bocce ball for the athletically inclined.

Survey: Proposed Medicare cuts will likely decrease access to care

A survey of North Bay physicians conducted in early April revealed that Medicare fee-for-service patients will likely have more difficulty accessing care if a proposed 21% physician rate cut takes effect. Almost 90% of the doctors who responded to the survey said they would reduce the number of new Medicare FFS patients they accept or simply stop accepting them altogether, should the rate cut go into effect.

Thirty-two doctors in Sonoma, Marin, Mendocino and Lake counties responded to the impromptu survey, which was prepared by the Alameda-Contra Costa Medical Association and conducted throughout the Bay Area. Results for other Bay Area counties are still pending.

About 40% of the North Bay respondents were primary care physicians, and the rest were specialists. Most were in solo practice or small groups, and three-fourths had been providing care to Medicare FFS patients for more than 10 years. On average, 43% of the patients in the respondents' practices were enrolled in the Medicare FFS program.

In addition to reducing the number of new Medicare FFS patients, about one-fourth of the respondents said the rate cut would also reduce their time for treating existing Medicare FFS patients. Another fourth said the cut would reduce the number of existing Medicare FFS patients they treat, and an additional 13% said they would stop treating existing Medicare FFS patients altogether.

The survey results will be used in the ongoing debate about repealing the Medicare SGR formula, the source of the proposed rate cuts. After the cuts nearly took effect in April, Congress delayed enactment until June 1. CMA and other physician groups plan to lobby Congress heavily during May in an effort to repeal the SGR formula once and for all.

SCMA sending out health reform survey and iWalk prescription pads in May

SCMA will be sending out two items of interest to local doctors during May.

The first item to be sent is a brief e-mail survey about health care reform. The survey will gauge physician attitudes toward recent reform legislation and solicit comments on other proposed reforms. The results will be published in the Summer issue of Sonoma Medicine. All local physicians are encouraged to complete and return the survey, which should take only a few minutes.

The second item to be sent is an iWalk prescription pad. This 4x5 pad allows physicians to prescribe patients a brisk 30-minute walk five times a week for general well-being. The pad lists a range of options, from "walk on my lunch breaks" to "join an iWalk group in my town." Each SCMA member will receive one pad. A "4-up" PDF version of the pad is available at scma.org/resources. This version can be printed and trimmed to create additional pads.

The iWalk program is part of a concerted effort by Health Action to improve community health in Sonoma County. For more details, visit iwalksonoma.org.

Cast your vote in the annual SCMA election by May 31

As a member of SCMA, you are entitled to vote for SCMA officers and board representatives, and for local representatives to the CMA House of Delegates.

To vote, print out the ballot below, then **sign** and **fax** to **525-4328** by May 31.

SCMA President-Elect - vote for one

Jeff Sugarman, MD, dermatology

Yes No

SCMA Board of Directors - vote for two

Jan Sonander, MD, family medicine

Yes No

Peter Sybert, MD, anesthesiology

Yes No

CMA Delegation - vote for five

Dan Lightfoot, MD, ophthalmology

Yes No

Don Van Giesen, MD, urology

Yes No

Clinton Lane, MD, internal medicine

Yes No

Katherine McNally, MD, family medicine

Yes No

Richard Powers, MD, family medicine

Yes No

Signature (required)

CMA withdraws from Blue Shield doctor rating scheme

CMA has withdrawn from a Blue Shield-led initiative to rate doctor performances because the insurer intends to move forward with publishing its ratings on June 1 despite flaws in data collection that result in gross inaccuracies.

“Publishing erroneous information will only serve to confuse patients, increase costs and unjustly destroy the reputations of many fine doctors,” said Dr. Brennan Cassidy, president of CMA. “We are happy to stand on the merits of our work, as long as it is assessed accurately and fairly, but this initiative is far, far short of achieving that goal.”

CMA worked for two years on the California Physician Performance Initiative (CCPI) with other stakeholders but pulled out in mid-April when Blue Shield indicated that it planned to ignore doctors’ input and publish rating data before fixing flaws in performance assessment.

In a letter informing CPPI of its withdrawal, CMA said major problems include:

Confusion for patients, who may be unduly concerned if their physicians do not get a high rating or may be tempted to select a new doctor who has a high rating. Because the ratings will not be an accurate assessment of doctors' performances, they may cause confusion and anxiety for patients.

More costs for payers and patients. To receive high ratings, physicians will have to compensate for flaws in the reporting system, meaning some may have to order tests or procedures that have already been done but are not captured in claims data.

Lack of adjustments for major factors affecting the patient. For instance, physicians who don't order cervical cancer screening tests for their patients, even if the patients have already had hysterectomies, would get a lower rating.

Lack of relevant data collection. The ratings only capture patient data for physicians contracting with the insurer; none of the out-of-network care is reflected. For instance, if a patient sees an out-of-network OB-GYN for a pap smear and fails to inform her primary care physician, the PCP would be penalized because there would be no pap smear claims data submitted to the health plan.

No consideration of the patient's role. The ratings do not take patient refusal of treatment into account.

"We have worked in good faith with Blue Shield of California and the California Physician Performance Initiative," Cassidy said. "Unfortunately, the initiative's governing board, which is dominated by insurers, has chosen to ignore physicians' grave concerns about this inaccurate rating system. Blue Shield's ratings are defective and Blue Shield is exercising poor judgment to publish them."

Talking points about the CPPI initiative have been posted at www.scma.org/resources.

New physician signage regulations take effect June 27

California physicians will soon be required to inform patients that they are licensed by the Medical Board of California, and to provide patients with contact information for the MBC.

Despite CMA objections, the Office of Administrative Law recently approved signage regulations for informing patients about how to contact the MBC for information or complaints about California physicians. CMA believes these regulations are an unnecessary administrative burden because state law already requires physicians to post their medical license or wear a name tag indicating their licensing status.

The new regulations, which take effect June 27, require physicians to provide the MBC notice by one of three methods:

Prominently posting a sign in an area of their offices that is conspicuous to patients, in at least 48-point type in Arial font.

Including the notice in a written statement, signed and dated by the patient or patient's representative, and kept in that patient's file, stating the patient understands the physician is licensed and regulated by the MBC.

Including the notice in a statement on letterhead, discharge instructions, or other document given to a patient or the patient's representative; the notice must be placed immediately above the patient's signature line in at least 14-point type.

Regardless of which method you choose, the notice must read as follows: **NOTICE TO CONSUMERS: Medical doctors are licensed and regulated by the Medical Board of California, (800) 633-2322, www.mbc.ca.gov.**

According to the MBC, physicians, not facilities, are responsible for compliance with this regulation. In group settings, only one sign must be posted (should that option be chosen), but it must be posted in a location where it can be seen by all patients.

A sample MBC sign is available at www.scma.org/resources. For more information, visit www.mbc.ca.gov.

LEGAL NOTES

By SCMA Legal Counsel Larry McLaughlin

My legal firm receives many calls from physician offices about releasing the medical records of deceased patients and minor children. Regulations governing the release of such records are found in the "patient access" law ([Health & Safety Code 123100](#) et seq).

Records of a deceased patient may be released to the "beneficiary" or "personal representative" of the deceased. A **beneficiary** is one who is entitled to the deceased's property by being an heir, or by being named in a will or trust. A **personal representative** is an executor or administrator of an estate. Many patients die without any testamentary documents, so medical office staff should use common sense in determining whether records can be released to a particular person. For example, when the deceased's spouse is well known to staff, they can generally assume that the spouse is an heir, and therefore a beneficiary, of the deceased.

With some exceptions, **records of a minor child** may be released to a **parent** or **guardian**. The exceptions occur when a minor legally consents to treatment, such as contraception or prenatal care. In such cases, release of medical records to a parent or guardian must be refused. Please contact our office when faced with such a situation.

A **parent** can be "natural" (biological) or adoptive. Grandparents, aunts, uncles and other relatives of a minor child are not the child's parents and are therefore not entitled to see the child's medical records. When parents are divorced, both are still entitled to see or copy their children's medical records.

A **guardian** is generally appointed by court order. If staff has any doubts about a guardian's status, they should ask to see the court order and take other reasonable precautions.

SCMA physicians and staff who have questions about releasing medical records or any other legal topics can contact me at 579-4523 or wmclaughlin@juno.com.

PHYSICIANS IN THE NEWS

Dr. Edward Chang, an otolaryngologist at Kaiser Santa Rosa, has been appointed to the Continuing Medical Education Steering Committee at the Institute for Medical Quality. The IMQ, on behalf of CMA, accredits California-based hospitals and other health care organizations to offer AMA Category 1 credits for continuing medical education.

SCMA President-Elect **Dr. Catherine Gutfreund** is quoted at length in "[Thanks, Doc](#)," a recent syndicated editorial about Doctor's Day. The editorial, which appeared in the Sonoma West Times, the Healdsburg Tribune and the Windsor Times, offers a concise overview of medical practice in Sonoma County and recognizes the many contributions of local physicians.

The **Annadel Medical Group**, an affiliate of the St. Joseph Health System, has added four primary care physicians and a neurosurgeon to its expanding roster of physicians. Longtime Santa Rosa family physician **Dr. James DeVore** has joined the group, along with newly arrived internists **Dr. Marlon DeCastro** and **Dr. Noel Serrano**. A third internist, **Dr. Eki Abrams**, will join the group in August, after completing her residency. The neurosurgeon, also a recent arrival, is **Dr. Bryan Pereira**.

Dr. Ronald Chapman, the health officer for Solano County, will become the chief medical officer for Partnership HealthPlan on June 1, replacing Dr. Chris Cammisa. Partnership provides managed Medi-Cal services to several North Bay counties, including Sonoma, where the regional medical director will continue to be Dr. Marshall Kubota.

Dr. Charles Elboim, a breast surgeon and medical director of the Redwood Regional Breast Center in Santa Rosa, has been appointed as a surveyor of breast care practices throughout Sonoma County by the National Accreditation Program for Breast Centers. Elboim will work on a survey team for the NAPBC, which accredits breast care centers based on quality indicators and other factors.

Dr. Roger Pitzen, a longtime family and emergency medicine physician in Sebastopol, has received the Kaiser/UCSF Award for Excellence in Teaching. Pitzen was nominated for the award by his students at UCSF, where he serves as an associate clinical professor.

HOSPITAL UPDATES

Because of provisions in the new health reform legislation, **Sutter Medical Center of Santa Rosa** has nixed plans for building a physician-owned medical center next to its proposed hospital near the Wells Fargo Center. The new legislation prohibits the type of physician ownership model Sutter was proposing for the facility, which would have been a 28-bed acute care hospital emphasizing invasive cardiology and outpatient surgery. Sutter is now exploring other options and doesn't expect the change in plans to affect the timetable for replacing its aging hospital on Chanate Road.

Regardless of its age, the Chanate Road hospital continues to receive awards for its quality of care. Medicare recently ranked the facility in the top 10% of U.S. hospitals in six of 10 critical measures, and the California Hospital Assessment and Report Taskforce (CHART) gave the hospital a "certificate of excellence" for its quality of care, patient experience, and safety measures.

Palm Drive Hospital plans to exit bankruptcy and improve its facilities by selling \$10 million in bonds. The bonds, to be marketed by a securities firm in San Francisco, are expected to generate the revenue needed to repay \$2.2 million owed to creditors, as well as a \$3 million bridge loan from the county. The remainder will be used to renovate the hospital's physical plant. Announcement of the hospital's plans was made by Neil Todhunter, who continues to be the hospital's interim CEO. His scheduled replacement, Richard Robinson, unexpectedly declined the job in early April, so the CEO search has resumed.

EVENTS

Easter Seals Northern California is sponsoring an all-day **Physician Symposium** on Saturday, May 15, at the Petaluma Community Center. The topic is developmental and behavioral screening in primary care. Presenters include Dr. Barbara Bennett, a professor of pediatrics at UCSF, and Dr. Maria Pilar Bernal, chief of autism spectrum disorder services at Kaiser Permanente. The symposium offers 5.75 hours of CME. To register, visit

noca.easterseals.com or contact Cindy Fasano at 415-382-7450 or cfasano@noca.easterseals.com.

The SCMA Alliance needs volunteers to direct traffic and ensure safety during its annual Garden Tour on Friday, May 14. The event, to be held in Windsor, raises funds for the Santa Rosa Community Health Centers and the Windsor Alliance Medical Center. Interested volunteers should contact Nancy Sumida at 537-7728 or nsumida7@gmail.com.

Physician volunteers are needed for **Neighbors in Health**, an annual event that provides a day of free health care for uninsured children and teenagers. This year's event is scheduled for Sunday, Aug. 1, at Kaiser Permanente's Stein Medical Campus, 3925 Old Redwood Highway, Santa Rosa. Doctors are needed in the pediatric clinic, teen clinic and immunization areas. Many shift options are available. To volunteer, visit www.unitedwaywinecountry.org/nih.

RESOURCES

The May issue of **CMA Practice Resources**, a free monthly e-mail bulletin, is available at www.cmanet.org/news/cpr. The new bulletin includes articles on reporting unfair payment practices, knowing your rights for timely payments, and other tips and tools for improving practice efficiency and viability.

The **American Lung Association** is asking physicians to sign a petition supporting advanced clean cars in California. The proposal is intended to improve air quality and reduce petroleum consumption. For the petition and more information, visit [Medical Professionals Pledge Support for Clean Air](#) on the ALA website.

APPLICANTS

Marshall Kubota, MD, Family Medicine*, 415 Humboldt St., Santa Rosa 95404, 419-7904, Fax 545-2313, mkkubota@aol.com, St. Louis Univ 1979

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Noel Serrano, MD, Internal Medicine*, 500 Doyle Park Dr. #303, Santa Rosa 95405, 303-8300, Fax 303-8301, oluty1974@gmail.com, Univ Santo Tomas 1999

* board certified

CLASSIFIEDS

Physician consultant needed

Physician Consultant needed in Ukiah 20 hours per week under contract to provide consultative and interpretive medical services related to assessments and program planning for individuals with developmental disabilities in Mendocino and Lake Counties.

Responsibilities include: participate as a member of the agency's eligibility team; provide medical consultation regarding requests for services; provide education for consumers, their supporters, agency staff and service providers; participate in various agency committees and processes; act as a liaison between the agency and the medical community; and assist with the development and advocacy of medical care for individuals with developmental disabilities in the community. There are no direct patient care responsibilities. Successful candidate will be able to perform as a team member; exercise sound clinical judgment; render timely and appropriate decisions; possess thorough follow-up skills; work

independently with minimal supervision; and have excellent verbal and written communication skills. Experience in providing care for individuals with developmental disabilities, preferably in pediatrics, is desirable. Send cover letter and resume to Director of Clinical Services, 525 2nd Street, Suite 300, Eureka, CA 95501, or to pokey@redwoodcoastrc.org.

Locum tenens physician available

Family practice, occ med, urgent care. Part/full-time. Fluent in Spanish. 415-601-7858.

Reimbursement specialist

Get paid faster, save money. Claims processing, patient payment plan, help with Medicare compliance, coding. www.revenuerecoverynetwork.com.

Medical office space

Small suite available for reasonable rent. Three exam rooms, southeast Santa Rosa. Call Connie, 707-525-0211.

How to submit a classified ad

To submit a classified ad for SCMA News Briefs or Sonoma Medicine, contact Nan Perrott at nperrott@rhscommunications.com or 707-525-4226. The cost is one dollar per word.

ABOUT SCMA

The Sonoma County Medical Association, a 501(c)(6) nonprofit association, supports local physicians and their efforts to enhance the health of the community. Founded in 1858, SCMA is affiliated with the California Medical Association and the American Medical Association.

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You are receiving SCMA News Briefs because you are a physician or an affiliated medical professional in Sonoma County. If you wish to unsubscribe, contact Steve Osborn at sosborn@scma.org or 707-525-4325.