

## JANUARY 2013 — ADVOCACY



### **REPORT FROM THE EXECUTIVE DIRECTOR** **BEVERLY LYNCH**

Happy new year...it's been a year since I was named as your executive director, and I continue to be energized by the work of the College and excited by the future plans we have in the works.

Your physician leadership team works extremely hard on your behalf – especially in the critical area of public policy, led by Dr. Panitch and the Public Policy committee, and our new lobbying team of Steve Wise and Pam Kasemeyer. Please join us on February 13 as we increase the visibility of the College at a Day at the Statehouse in Annapolis.

As is fitting this time of year...here are some other New Year's Resolutions you may want to consider as you support MD ACEP and your profession:

- Encourage your non-member colleagues to join ACEP and MD-ACEP. MD-ACEP continues to grow, and is considered one of the most forward thinking and progressive state chapters in the country.
- Consider an EMPACT contribution in 2013. As you may know, advocacy activity at the State level is at its highest level. We must continue to support candidates for state office who support emergency medicine.
- Get more involved with MD-ACEP...attend the Annual Meeting on April 18...represent your hospital or hospital group as a captain to the Public Policy Committee, feeding critical information back to your physician colleagues...spread the word about the work of MD ACEP by sharing your copy of the monthly newsletter. Talk about the College at your staff meetings...and share your thoughts, concerns, and ideas with the MD ACEP leadership.

I am always available to you by phone at 410-727-2237 or email: [Bev@AMG101.com](mailto:Bev@AMG101.com).

Thank you for the privilege of working with you in 2012 and here's to a prosperous, healthy and happy 2013!



### **LOBBYIST REPORT** **PAM METZ KASEMEYER, ESQ.** **SCHWARTZ, METZ & WISE, P.A.**

Last month, I joined members of the Public Policy Committee along with Executive Director Beverly Lynch to meet with Charles Milligan, Deputy Secretary for Health Care Financing at the Department of Health and Mental Hygiene. It was a very productive meeting where we discussed the Medicaid program and relevant issues regarding the provision of services in Emergency Departments. The meeting established what MD ACEP hopes will be an ongoing and mutually productive dialogue between DHMH and MD ACEP on issues of relevance to the provision of emergency services.

The General Assembly will convene on Wednesday January 9, 2013. We anticipate a number of issues of relevance to MD ACEP members including tort reform; scope of practice issues with naturopaths and midwives; further issues relative to implementation of federal health care reform; potential licensure fee increases; and issues relative to the Board of Physicians and the regulation of the practice of medicine. As MD ACEP members are aware, policy makers are increasingly focusing on the intersection of community based care and facility based care. The goal is often expressed as the desire to deliver the appropriate care in the appropriate setting thereby increasing both quality and cost-effectiveness. As Emergency Departments are often the focus of those discussions, it will be critical that MD ACEP have an active and visible presence throughout the legislative session and before relevant regulatory commissions. There will be multiple opportunities for members to actively participate in MD ACEP's advocacy efforts and we look forward to working with you. Stay Tuned!

**SAVE THE DATE:**

**APRIL 18, 2013**

**MD ACEP ANNUAL EDUCATIONAL CONFERENCE**  
**WESTIN BWI HOTEL**

### **MD ACEP Advocacy Program - Get Involved Two Ways!**

**Day at the State House:** Spend the day meeting legislators and staff...discussing MD ACEP issues and concerns...participate in a blood pressure screening

**Wednesday, February 13, 2013 in the Maryland State House, House Office Building from 9:00 am to 1:30 pm.**

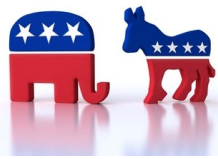
Please let us know if you are able to attend so we can plan accordingly. Email [Lauren@amg101.com](mailto:Lauren@amg101.com). Additional details to be provided shortly.

**Volunteer to Serve as the Doctor of the Day:** Pick a day and agree to serve as physician-of-the-day in the Capital.

As physician-of-the-day you and a nurse will spend the day in the first aid room and will have privileges to the legislative chamber floors. It's a great opportunity to interact with legislators up close. Email [Lauren@amg101.com](mailto:Lauren@amg101.com) for form.

## **PAC REPORT**

**DAVID A. HEXTER, MD, MPH, FACEP, TREASURER**



The Emergency Medicine Political Action Committee (EMPACT) provides financial support to the campaigns of legislators and candidates who are friends of Emergency Medicine in Maryland and support our issues. EMPACT, along with a strong lobbying team and your

grassroots support, are the keys to MD ACEP's long history of legislative success in the Maryland General Assembly. This kind of influence is not automatic and does not come easy. When you send in your annual ACEP dues, we encourage you to check off and include your membership dues to EMPACT.

We would like to thank the six members who renewed their EMPACT annual memberships in the fourth quarter of 2012. Also in the fourth quarter, EMPACT supported the events of Senators Joanne Benson, J.B. Jennings, Allan Kittleman, Jamie Raskin, Chris Shank, Bobby Zirkin and Delegates Kumar Barve, Mike Busch, Steve DeBoy, Adrienne Jones, Ariana Kelly, and Susan Krebs. If you are an EMPACT member and would like to attend a legislative event, please contact the chapter at [info@mdacep.org](mailto:info@mdacep.org). For a list of upcoming events, go to <http://www.schwartzmetz.com/fundraisers>. They are a great opportunity to meet your area's community leaders in the private and public sectors.

Like all PACs, EMPACT is required to file detailed reports of its contributions and expenditures with the State Board of Elections. To view these reports, go to <https://campaignfinancemd.us>.

## **PUBLIC POLICY REPORT**

**ORLEE PANITCH, MD, FACEP**

The Fall has been a somewhat slow time for the Committee. Most legislators have been tied up with the Federal Elections and the overwhelming number of referendums on our own Maryland State ballot. We have met monthly to discuss current issues. We'll be watching a number of issues unfold in the next session--- including:

- the revitalization and restructuring of the Board of Physicians,
- monitoring the medical liability environment, and intervening as necessary
- monitoring the Naturopathic practitioners petitions to maintain a Board in Maryland,
- monitor policies regarding the use of procedural sedation in the acute care setting, and,
- ensure that Medicaid is a stable plan to provide care to the impoverished and fair payments to emergency providers.

As such, representatives from the Public Policy Committee met with Medicaid Director, Chuck Milligan. A number of issues were discussed, including the Medicaid expansion, the PAC program, abuse of prescription pain medications, and dispute resolution. Maryland is engaged in a full Medicaid expansion that will culminate in January 2014. New patients will be entered into the PAC program pending the full expansion. PAC will continue to only reimburse primary care physicians. We requested that PAC patients receive guidance into how best to access care. Director Milligan will be facilitating a meeting between MD ACEP and the Medicaid MCO Directors to help create a clear process for conflict resolution when claims are in dispute. Thanks to all who participated in the meeting.

## **2013 LEGISLATIVE PREVIEW OF MARYLAND HEALTH CARE ISSUES**

**GENE M. RANSOM, III**

CEO, MedChi, The Maryland State Medical Society

The Maryland General Assembly re-convenes in less than a month, and health care will remain a major issue considered by lawmakers. Implementation of federal health care reform remains a priority for the O'Malley Administration. However, little legislative action is required as most legislation implementing Health Care Reform passed two years ago. One piece, the creation of a Maryland State based Health Insurance Exchange, should be operational next year. However, lawmakers need to deal with the issue of how to pay for the new Exchange. Several proposals under consideration include a tax on insurers, a tax on tobacco, or a tax on health care practitioners. Any tax on physicians has been strongly opposed by MedChi, The Maryland State Medical Society, and this issue has the potential to be contentious in the upcoming session.

During the 2013 session the Board of Physicians statute will be reviewed. The Board of Physicians licenses and disciplines Maryland doctors and has come under fire from legislative auditors who found over sixty deficiencies in a recent audit. Physicians and MedChi plan to work to enhance legal protections to ensure that the Board's disciplinary process is fair, transparent, and results in the consistent and efficient resolution of complaints with adequate due process protections. The General Assembly must act with regard to the Board during the upcoming 2013 session as the Board's statute is set to expire.

Tort issues continue to be a major concern for the health care industry. Health care and business groups will continue to strongly oppose trial lawyer attempts to increase the "cap" on damages in medical malpractice cases, as well as oppose the abolition of the defense of contributory negligence, and otherwise work to protect and strengthen the legal liability environment for in Maryland. This issue has increased its profile as the Maryland Court of Appeals current considers repealing the doctrine of contributory negligence, and two Baltimore hospitals were recently hit with multi-million dollar malpractice verdicts.

Other major health care issues under consideration include the Medicaid budget, scope of practice issues and various public health concerns. If you want to track health care legislation during the session you can go to [www.medchi.org](http://www.medchi.org). MedChi keeps a running list of health care bills considered by MedChi's Legislative Committee, with positions taken by the committee and status of each.

**ACEP 2013 Leadership & Excellence Awards**  
nomination forms now available

<http://www.acep.org/awardnomination/>

*Deadline for submission is February 15, 2013*