

**OSMA EXECUTIVE COMMITTEE  
MEETING HIGHLIGHTS  
July 1, 2010**

The Executive Committee met July 1, 2010.

- **State Legislative and Political Affairs Director Update – Ken King**  
Ken King then gave an update on the 2010 legislative session. He noted that \$3 million to help fund the state indemnity fund to implement the \$400,000 non-economic damages cap created in HB 1603 from the 2009 was appropriated in the 2011 budget. He then noted that Governor Henry vetoed Senate Bill 2173, the enabling legislation that would have allowed the indemnity fund to become a reality. He also noted that new enabling legislation will be introduced next session and if enacted, should still allow the non-economic damages cap to become a reality.

**OMPAC/Primary Elections Update** – Ken King then noted that Oklahoma Primary Races are scheduled for Tuesday, July 27<sup>th</sup>. He then noted that OMPAC has sent a legislative questionnaire to candidates in 18 contested primary races and candidate interviews will be held prior to the primary elections. He also noted that all but two statewide offices are on the ballot this year. He also noted that Insurance Commissioner Kim Holland who is seeking re-election and current State Senator Susan Paddock who is seeking election as Superintendent of Public Instruction have both been strong allies and supporters of OSMA.

Lastly he noted that at the federal level, all members of Congress must stand for election. Four incumbents: Dan Boren (D), John Sullivan (R), Tom Cole (R), and Frank Lucas (R) are standing for re-election. In the 5<sup>th</sup> Congressional District, Congresswoman Mary Fallin (R) will not seek another term because she is running for Governor. The candidates for the 5<sup>th</sup> District include physician Johnnie Roy, MD, an Edmond urologist. AMPAC agreed to contribute \$1,000 to Dr. Roy for his Congressional race.

**One Oklahoma Coalition** – Ken King then noted that the OSMA has been participating in meetings with One Oklahoma Coalition which consists of a variety of civic, professional and business interest groups. He then noted that a question will be on the ballot this fall to mandate a certain amount be spent on public education. This spending mandate could cause drastic cuts in all other state budget items including Medicaid.

- **President Report - K. A. Mehta, MD, President**  
**Obesity Initiative Update** – Dr. Mehta then gave an update on the obesity initiative. He noted that meetings with other public health care entities continue

to be held to collaborate with other groups and organizations to help fight obesity. He then noted that the next obesity initiative meeting is scheduled for July 7<sup>th</sup>.

**Group Membership Initiative Update** – Dr. Mehta then gave an update on the group membership initiative. He noted that meetings have been with various OU Physicians department chairs. He then noted that the final decision will be made by the chairs of the individual departments. He also noted that the OSMA leadership will continue to meet with department chairs prior to the OU Physicians discussing the proposal as a group. It was also noted that Jane Fitch, MD, is chair of the OU Physicians faculty board.

**Membership Task Force Update** – Dr. Mehta then noted that at the last OSMA Board of Trustees meeting, the Board instructed that the Membership Task Force (MTF) evaluate the costs to OCMS, TCMS and the OSMA to carry dues exempt physicians. He then noted that the MTF met and agreed to add one additional step to the dues exempt application process. He noted that the president OSMA, OCMS, TCMS, the Rural Physician Section Chair and Ken King will review and, if necessary, will request additional information from the applicant before forwarding to the Executive Committee for review and then to the Board of Trustees. He also noted that there are currently 17 full dues exempt physicians in the state.

**Bylaws Timeline** – Dr. Mehta then noted that the group membership initiative discount will require a bylaws change. He then noted that he hopes to have the information available for the August Board of Trustees meeting. He also noted in order to implement for the 2011 billing cycle, a Special Called House of Delegates meeting in October would be required to vote on the proposed bylaws change. There was discussion on the complexity of dealing with bylaws change and the importance of allowing adequate discussion when considering a change in the bylaws.

- **Report of the Executive Director – Ken King**

**Medicare Meltdown/SGR Update** – Mr. King then gave an update on the Medicare Meltdown Initiative and the Sustainable Growth Rate (SGR). He noted that last month, H.R. 3962, the Medicare physician reimbursement cut of 21.5 percent was postponed to November and that the new legislation also provides a 2.2 percent Medicare fee schedule update for physician services through November 2010.

**Medicaid Physician Reimbursement Update** – Mr. King then noted that the CMS has directed Medicare claims administration contractors to discontinue processing claims at the *negative* update rates and to temporarily hold all claims for services rendered June 1, 2010, and later, until the new 2.2 percent update rates are tested and loaded into the Medicare contractors' claims processing systems.

**Membership Update 2010** – Kathy Musson then gave the 2010 membership update. She noted that numbers for 2010 remains the same as last reported. She then noted that many new rural members joined this year as a result of the billing solicitation. She also noted that TCMS is in the process of a solicitation allowing physicians who dropped this year to reinstate their membership by paying half dues. She also noted that the OSMA bylaws do not allow for half dues for reinstatement purposes.

**AMA/OSMA/County Medical Societies Partnership for Growth Agreement 2011** - Kathy Musson then updated the Committee on the 2011 AMA/OSMA/County Medical Societies Partnership for Growth Agreement. She noted that the OSMA receives a commission from the AMA who join the AMA in exchange for billing for the AMA and that all commissions earned are passed on the OCMS, TCMS and Rural Physicians Section. She then noted that commissions earned by the RPS are used to promote the RPS and any commissions not spent by the RPS by the end of the year, remains in the OSMA general budget. She also noted that the OSMA will draft a dues statement for review by the Membership Task Force before being sent to the AMA for approval. She also noted that through the current county agreement, the OSMA pays \$25 for each new member who was not an active member in the previous year. However, the 2011 agreement will omit group memberships. Lastly, she noted that the AMA agreement must be signed by July 15<sup>th</sup>.

***Approved a motion to sign the 2011 AMA/OSMA Partnership for Growth Agreement and the OSMA/County Medical Societies Partnership for Growth Agreement.***

**Building Update** – Ken King then noted that a mediation meeting is tentatively planned for mid August. He then noted that the OSMA continues to work with CNA Insurance Company to repair the damage caused by the May 16, 2010 hail storm.

**August Board Orientation/Retreat** – Ken King then noted that Bob Harris, a nationally recognized speaker, will facilitate the OSMA Board Orientation/Retreat on August 28, 2010.

**AMA Meeting – Dr. Mehta and Dr. Robert McCaffree**  
Dr. McCaffree then gave an update on the 2010 AMA Annual Meeting held in Chicago. He noted that the health care reform bill was the underlying concern. He then noted that the AMA House of Delegates showed their support for the AMA Board by defeating candidates openly opposed to the actions of the AMA Board. He also noted that there was an AMA summary of what the AMA Board has done over the past year to keep many bad proposals out of the health care reform bill. He then noted that the Oklahoma resolution on smoke free campuses passed. Lastly, he noted that the resolution to freeze the number of AMA

delegates failed and as a result the OSMA could lose two delegates and two alternate delegates next year.

**OU Residents Orientation** – Kathy Musson then reported on the OU residents' orientation that was held June 30<sup>th</sup>. She noted that several expressed an interest in serving on OSMA councils and committees. She then noted that 126 new residents filled out their contact information and they will receive an electronic newsletter.

**Medical Student Reception – 5:30 p.m., August 17, 2010, OKC Zoo** – Kathy Musson then noted that the new medical students' reception will be held Tuesday, August 17<sup>th</sup> at 5:30 at the Oklahoma City Zoo. She then noted that a major donor is needed to help sponsor the event.

**OKAAP Lawsuit Update** – Ken King reminded the executive committee that the OKAAP and other plaintiffs filed suit in 2001 along with several other plaintiffs against state officials that were responsible for implementing and administering the state's Medicaid program. While OKAAP et al won this case at the Federal District Court level in Tulsa, the defendants ultimately prevailed at the 10<sup>th</sup> Circuit Court in Denver, with the Circuit Court reversing the Federal District Court ruling. OKAAP was ultimately forced to pay the OHCA's legal fees of \$40,000. Plaintiffs in the lawsuit have filed a Motion to Reconsider the decision of the 10<sup>th</sup> Circuit Court of Appeals. A reversal of the ruling could allow the OSMA, the OKAAP and the AMA litigation center to recover some of the money they put in on the case.

**Specialty Society Update** – Ken King then thanked George Caldwell, MD, for his efforts in soliciting opportunities to manage specialty groups. He then noted that recently the OSMA reviewed the ENT Specialty Society. But after consideration, the OSMA advised the group to solicit the help of their former employee to get the group up to date. He also noted that other specialty societies will be considered for partnering meetings during the OSMA annual meeting.

#### **Other Old/New Business:**

Dr. King then gave an update on the portal. He noted that the portal has been put on hold with Mark Jones.

Dr. King then noted that he has been nominated to serve on a seven member board public trust which will regulate HIE and oversee \$9 million of federal and state funds. Of the seven member board, three will be physicians. The Governor, House Speaker and Senate leader will each appoint one physician. He then noted that there will also be a 14 member task force which will submit their recommendations to the trust. Lastly he noted that the application deadline is July 6<sup>th</sup>.

***Approved a motion to send a letter of support to the Governor, Senate and Speaker of House supporting Kent King, MD, to serve on the 7 member trust that will regulate HIE.***

Ken King then noted that a physician contacted him asking the OSMA for support in renegotiating a contract with an employer. The Committee agreed that a contractual dispute should be between the employer and employee. It was noted that if the physician is an AMA member, he/she can be referred to the AMA litigation center.

Next meeting will be held Wednesday, August 3, 2010 at 6:00 p.m. at the OSMA.