



# The CADUCEUS

Dutchess County Medical Society • DCMS.org • PO Box 496 Rhinebeck, NY 12572 • 845-452-2140

## DCMS President's Message October 2016

Dear fellow Dutchess County Medical Society Physicians,

I would like to take this opportunity to thank you for your continued support of our society and welcome you to Autumn . Our general and local elections are just around the bend on Tuesday, November 8, 2016. I encourage you if you're not registered to vote to register immediately . Please put a reminder in your phone calendar right now so not to miss the vote .

The Medical Society of the State of New York is pleased to endorse Senator Sue Serino and Assemblyman Kevin Cahill for reelection. Both Senator Serino and Assemblyman Cahill have worked with MSSNY on issues vital to us I would personally like to also endorse Assemblyman Kiernan Lalor as a close friend in Albany and has supported DCMS and MSSNY.

All physicians need to be vocal and financial advocates for those candidates that support our Issues: Tort reform, health insurance regulation and a level playing field fair reimbursement for our services, reducing administrative hassles and maintaining the sanctity of the patient physician relationship .

William Barrick MD  
President DCMS



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# The Stresslessness of Now

An Enrichment Retreat for Physicians and Spouses  
October 29, 2016

We physicians pay dearly for the relentless stress of patient care, mounting bureaucratic demands and accelerating change. The price we pay ranges from personal health and wellness to family or professional instability to the unforeseen consequences of medical errors. We begin to view others as objects rather than human beings. We can become cynical, exhausted and to some extent depressed.

The new world of medicine includes patient engagement scores on the internet, patient quotas, being told when you can have a day off or go on vacation, relentless demands by insurance companies, and increased expectations from our patients, peers and families.

Nonetheless we are expected to manage our emotions and achieve perfect outcomes without making mistakes. There is little room for error – personally or professionally.

As a cardiologist for 26 years and Chief Medical Officer for 9 years, I have personally experienced all of these pressures and demands. I have seen the very best of what physicians can do and witnessed how stress changes physicians personally and professionally.

About 20 years ago my wife Shelley and I began our journey. We first took a “teachers” course at The Omega Institute on Mindfulness Based Stress Reduction with Jon Kabat-Zinn. We also have studied with Don Miguel Ruiz author of The Four Agreements for the past 15 years. We believe we have valuable information we would like to share with physicians. How to respond and not react. How to be in the present moment and not live the past or fear the future.

We invite physicians and their spouses to spend a day retreat at our home to learn how we can change our point of view; how to be free of past judgments; how to enhance our passion for life, family and medicine. We would love to share our experiences as a couple with you and your spouse.

It is our plan to provide everyone tools for dealing with stress. Medicine is different from other professions with stressors that are unique to our profession. Our world continues to change quickly. This is a unique opportunity to learn skills to help us manage our lives and to renew our mission to heal patients and ourselves while expanding and enjoying our personal relationships with our spouse and our family.

Our goals are simple - to raise awareness while lowering stress; improve the quality of your relationship as a couple and your family; understand how you make decisions; unplug for a day; and finally to have some fun – all in a caring and nonjudgmental environment.

**Ron and Shelley Tatelbaum**

**Date:** Saturday October 29, 2016

**Time:** 9 am -5 pm

**Location:** 14 Riverknoll Drive  
Milton, NY 12547

**Cost:** Couple \$300  
Single \$250

**RSVP:** [RTatelbaum@Gmail.com](mailto:RTatelbaum@Gmail.com)

## Calendar of Events

Upcoming Events goes here

# ***Bits & Pieces***

## **Ulster Financial Payroll Processing is Available at 20% Discount To Members**

Ulster Financial Payroll, a subsidiary of Ulster Savings Bank, is offering a 20% discount on payroll processing services to all Dutchess County Medical Society members. This service is available to all size practices. If you currently subscribe to the service, the discount is still available to you, as long as you do not already have an Ulster Financial Payroll discount. If you would like to subscribe to Ulster Financial Payroll, call the Dutchess County Medical Society at 845-452-2140 for more information.

## **Promotional Products Help Support the Dutchess County Medical Society**

You can refer your favorite company or service provider to DCMS and receive up to 15% referral fee for every vendor. Call Bess Rodgers at 845-452-2140 ext. 3 or email her at [brodgers@dcms.org](mailto:brodgers@dcms.org).

## **For Collections**

IC System's collection services are recommended by nearly 500 associations/societies nationwide. Services are effective, ethical, and certified for BEST-PRACTICES.

Call 800-279-3511 for a quote or visit [www.icmemberbenefits.com](http://www.icmemberbenefits.com) for more information.

## **Did you know...**

MSSNY has entered into a preferred arrangement with the following electronic health record vendors who offer discount pricing on products and services to MSSNY members:

### **AthenaHealth Clinicals:**

[www.athenahealth.com](http://www.athenahealth.com)

### **Greenway / Vitera PrimeSuite:**

[www.greenwaymedical.com](http://www.greenwaymedical.com)

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## **DUTCHESS COUNTY MEDICAL SOCIETY EXECUTIVE COMMITTEE 2013-2015**

### **PRESIDENT IMMEDIATE PAST**

William Barrick, MD

### **PRESIDENT VICE PRESIDENT TREASURER SECRETARY**

Lobsang Lhungay, MD  
Jai Jalaj, MD  
Manoj Abraham, MD  
Adele El Karah, MD

### **PEER REVIEW CHAIR**

Loren Rosenthal, MD

### **WORKERS' COMP CHAIRMAN**

David DiMarco, MD

### **DELEGATES**

William Barrick, MD  
Stephen Chernay, MD  
Jai Jalaj, MD  
Loren Rosenthal, MD

### **DCMS STAFF**

Bess Rodgers, Executive Director

**Dutchess County Medical Society, Inc.**

***Free* MEMBERSHIP DINNER  
SEMINAR**

***Bring a colleague***

**Thursday, Nov 10 at 6:30PM**

**(Following an Executive Meeting at 6PM)**

**JOSEPH'S STEAKHOUSE  
728 VIOLET AVENUE  
HYDE PARK, NY 12538**

**REGISTRATION IS REQUIRED:**

Phone: 845-452-2140, ext. 3

Fax form to: 888-578-2211

Text: 845-546-3074 (type "I will attend" and your name)

Email: [brodgers@dcms.org](mailto:brodgers@dcms.org)

# DR LAW

## Doctors Losing patients to Medicare Advantage

**Question:** Why are physicians losing patients to Medicare Advantage when patients turn 65?

**Answer:** A policy known as seamless conversion allows insurance companies to move members of their commercial or Medicaid managed-care plans over to Medicare Advantage plans if they first ask permission from the CMS. The Medicare Advantage plans mean more revenue for insurers, but it often means patients' doctors will be considered out of network. The CMS believes the transition to Medicare Advantage should be implemented to ensure continuity of care and recently issued a memo to insurers reminding them about seamless conversion as a way to transition enrollees. In a letter to the CMS, the Medical Society of New Jersey called out the agency noting that "seamless conversion merely insures that carriers keep their member base: it does not facilitate continuity of care; it does not facilitate the patient-physician relationship." The concern among many healthcare providers is that the CMS' seamless conversion is not as advantageous to patients as it is to its insurers and financial interests. Physicians nationwide have been critical of the secrecy of the plan as well and some groups are pushing for the CMS to publicly release information on which Medicare Advantage plans have been approved. The goal of assuring a continuity of care seems contradicted when a patient's non-Medicare insurance has been covering their care at a practice but the practice is not in the Medicare Advantage plan's network. It has been rumored that Aetna, Humana and UnitedHealthcare have asked for permission to participate in seamless conversion. Patient advocacy groups are also pushing against this policy and requesting that the CMS require insurers to get confirmation from a beneficiary that they understand their network may have changed and allow for a special enrollment period in case their doctors are not in network.

In response to the criticism, the CMS countered that beneficiaries should be more vigilant in opening and reviewing all mail from their current insurer. The CMS further shifted the onus on enrollees to make sure to ask about provider and pharmacy networks and noted that patients can opt out of Medicare Advantage plans. The CMS has also said that it will make public which insurers use seamless conversion later this year.

**CMS Announces MACRA Refinements :** Although final regulations have yet to be promulgated under the Medicare Access and CHIP Reauthorization Act ("MACRA"), and are not scheduled to be issued until November, 2016, in a recent blog post, Andrew Slavitt, the Acting Administrator of the Centers for Medicare and Medicaid Services ("CMS"), announced options which physicians could select in order to comply with the Merit-based Incentive Payment System ("MIPS"). MIPS will replace meaningful use, the physician quality reporting system ("PQRS") and the value-based modified programs. Although MIPS does not go into effect until 2019, reporting is set to begin on January 1, 2017. The proposed rule requires providers to report and participate in the entire program for the whole year, beginning on January 1, 2017, which could allow the provider to receive a "modest positive payment adjustment." However, the blog post advances two additional options. First, according to the blog post, a provider will be required to submit only "some data," and as long as "some data [is submitted] to the Quality Payment Program, including data from after January 1, 2017, you will avoid a negative payment adjustment." The other option is reporting for a reduced number of days, where providers could report for an unspecified shorter period during calendar year 2017 and still receive "a small positive payment adjustment." Physicians who qualify for participation in an Advanced Alternative Payment Model ("APM") will be exempt from MIPS; however, it is estimated that very few providers will qualify for this option.

### **Weekly Charting Tip:**

It is not enough to actually go through the process of patient consent to a treatment. Protect yourself and have your patient sign a consent form. Please make sure that the form is signed and dated. Additionally, if you show a video or a chart to explain a treatment, have your patient sign a document that states that they saw/reviewed the presentation on whatever date in your office (if that is the case). In other words, document, document, document!

Until next time! - Larry Kobak, Esq.

If you have any questions, please contact Kern Augustine, P.C. at 1-800-445-0954 or via email at [info@DrLaw.com](mailto:info@DrLaw.com).

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## **MSSNY Article**

### **New York's Top Medical Liability Insurer to Join Berkshire Hathaway Family of Companies**

Medical Liability Mutual Insurance Company (“MLMIC”), the largest underwriter of medical professional liability insurance in New York, announced today that it has entered into a definitive agreement, pending regulatory and policyholder approval, to be acquired by National Indemnity Company, following the completion of the conversion of MLMIC to a stock company from a mutual company. National Indemnity Company is a subsidiary of Berkshire Hathaway Inc., one of the world’s leading insurance organizations. The transaction is expected to close in the third quarter of 2017, subject to customary closing conditions and regulatory approvals. “Good things are worth waiting for,” said Berkshire Hathaway CEO Warren Buffett.

Mr. Buffett further stated, “MLMIC is a gem of a company that has protected New York’s physicians, mid-level providers, hospitals and dentists like no other for over 40 years. We welcome the chance to add them to the Berkshire Hathaway family and enhance their capacity to serve these and other policyholders for many years to come.”

“We are delighted to partner with such a fine organization. MLMIC has always had strong standing and stability within the challenging New York insurance market, and the arrangement with Berkshire Hathaway will bring policyholders further peace of mind, knowing MLMIC will be able to offer an even higher level of financial security. In addition, MLMIC will be able to expand its offerings, with more customized policy limits, risk-sharing features and services to groups, facilities and other large accounts,” said MLMIC President Robert Menotti, MD. In a letter to policyholders, Menotti said, “Berkshire Hathaway values our operations, board, staff and endorsed partners. Most importantly, Berkshire Hathaway is committed to MLMIC’s future success and its ongoing dedication to serving policyholders.”

Keefe, Bruyette & Woods, a Stifel Company, served as financial advisor and Willkie Farr & Gallagher LLP served as legal counsel to MLMIC in this transaction.

Additional information can be found at [www.mlmic.com/faq](http://www.mlmic.com/faq).

#### **About Medical Liability Mutual Insurance Company (MLMIC)**

Based in New York, New York, Medical Liability Mutual Insurance Company began operations in 1975. The company predominantly underwrites professional liability insurance in New York. As of December 31, 2015, MLMIC policyholders’ surplus was approximately \$1.8 billion. MLMIC can be found on the internet at [www.mlmic.com](http://www.mlmic.com).

#### **About National Indemnity Company**

National Indemnity Company is one of the leading property/casualty members of the Berkshire Hathaway group of insurance companies, with the highest possible financial strength rating by A.M. Best. Located in Omaha, Nebraska, National Indemnity Company offers the kind of stability that (re)insureds can rely upon. National Indemnity Company can be found on the internet at [www.nationalindemnity.com](http://www.nationalindemnity.com).

## Commissioner's Corner

**Originally appeared in the Poughkeepsie Journal on Sunday, October 9, 2016:**

Heroin and opiate use, addiction and abuse is the most significant public health crisis of our day, affecting every background, income level, ethnicity and gender. This could not have been more clear at last month's Poughkeepsie Journal forum, underscoring the critical importance of everyone being involved as part of the solution to this crisis. Solutions require a comprehensive response from every level of government; reform to health insurance; address of the stigma; building of coalitions and stronger families; education; enforcement; treatment; and celebrating recovery. Dutchess County Government is aggressively helping in this struggle with a multi-faceted response ranging from the law enforcement efforts of our Drug Task Force to prevention and education efforts to assisting those gripped by addiction find their way to recovery. While there is much more to be done, the Journal's forum highlighted our need to make residents more aware of the resources available and steps they can take as individuals to prevent this epidemic from spreading further.

Our Dutchess County HELPLINE (845-485-9700) is available 24 hours a day, 7 days a week to connect you with a mental health counselor who can talk or text with you. Download the free Dutchess County HELPLINE app for iPhone or Android devices for an easy way to connect.

Our Mobile Crisis Team is available to come to you or your loved one when you need help – any hour, anywhere. These trained professionals are available to anyone, regardless of ability to pay, and provide help and assistance as well as connections to resources necessary to move toward recovery. Contact them through HELPLINE (845-485-9700).

Law enforcement from throughout the county are taking part in Crisis Intervention Training, learning how to effectively interact with those dealing with behavioral health and substance abuse issues and how to divert them to the help they need rather than having to bring them to jail.

Our Stabilization Center, currently under construction and expected to open early next year, is a critical addition to our efforts. The center will enable the Mobile Crisis Team and law enforcement to bring individuals to de-escalate and stabilize, rather than taking them to emergency rooms or, in many cases, jail. Individuals will get the help they need 24 hours a day, 7 days a week in safe place, where a coalition of community partners will provide necessary treatment resources.

**Inventory and monitor your medicine cabinet.** Pain medications can be addicting and often those who become addicted turn to heroin as a cheap alternate. Dispose of leftover medication once the condition it was prescribed for is resolved to avoid the possibility of addiction and ensure it does not end up in the hands of those for whom it was not prescribed. Prescription drop boxes for safe and responsible disposal are available throughout the county. For locations, see the Department of Behavioral & Community Health website, [dutchessny.gov/dbch](http://dutchessny.gov/dbch) - "Preventing Substance Abuse" tab.

**Take a Mental Health First Aid class.** Learn more about this problem and be willing to talk about it. There is a great deal of stigma and shame surrounding addiction, pushing those struggling into hiding and unable to ask for help. The shame can be life-threatening and has serious impact on the addict's family and friends. Until we all feel comfortable talking about this problem and seeking help, things will not change. Mental Health First Aid is free and open to the public or any community group; more than 1,500 individuals have been trained already. Call 845-485-9700 for information.

**Talk to your children.** Let your child know at an early age what you expect from him or her, regarding drinking and drug use. Research shows parents' expectations, especially with younger children, have a significant impact. Tell them you do not approve of alcohol or drug use. If your child is using alcohol or other substances, contact HELPLINE for resources. Many local schools have Student Assistance Counselors available to provide counseling to students who are using or at risk of using. The Council on Addiction Prevention and Education ([capedc.org](http://capedc.org)) also has Recovery Coaches available to provide encouragement and support free of charge. Dutchess County provides support for Second Step, a program in local school districts that teaches children and young teens social-emotional skills, such as how to deal with anger or anxiety. In middle school, the program focuses on skills important in bullying prevention and substance abuse prevention.

**Get trained to use Narcan.** Narcan is an opioid overdose reversal medication used to revive individuals who have overdosed. To date, nearly 1,600 people have been trained in the life-saving measure. There are frequent trainings and all participants are provided with a free Narcan kit. To find out more, call 845-486-3414.

**Make your voice heard.** The collective voices of our community must be heard on a federal, state and local level to stress the importance of funding for prevention services and to ensure adequate treatment services that are easy to access without the barriers caused by stigma or the lack of insurance.

No one is immune to this epidemic, but we can come together as community to combat it. Let us get past the stigma and work together to find solutions. Prevention and treatment do work. Recovery is possible. But we must all have hope, work together and do our part.



# 3 WAYS

# WE CAN HELP!

• AIDS Institute

1

## HIV guidelines online

# WWW.HIVGUIDELINES.ORG

*Access HIV clinical guidelines for adult care, prevention, mental health, post-exposure prophylaxis, and more!*



2

## CEI Line

# 1-866-637-2342

*Access to a specialist to discuss case-based HIV/HCV, STD, PEP/PrEP patient care.*



3

## Free CE online and other educational resources

# WWW.CEITRAINING.ORG

*Earn CME and CNE credit at your leisure and stay abreast of HIV/HCV, STD and PEP/PrEP clinical updates*





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# Dutchess County Medical Society

## Preferred Service Providers

### MEDICAL LIABILITY INSURANCE

Medical Liability Mutual Insurance Company  
(MLMIC)

Contact: Gary Andelora, 716-648-5923

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### GROUP INSURANCE PROGRAMS

Park Avenue Benefit Planning  
*Health, Medicare Supplemental, Dental, Life &  
Long Term Care Insurance*

Contact: Michael LaValley, 914-631-2900, Ext. 1530

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Charles J. Sellers & Co., Inc.

*Disability, Business Overhead, Hospital Indemnity,  
Accidental Death & Dismemberment &  
Term Life Insurance*

Contact: Charlie Sellers, 800-333-5440, Ext. 210

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### BANKING SERVICES

Ulster Savings Bank

*Banking, Loans, Investments, Tax & Payroll*

Donna A. Goodall- Vice President

dgoodall@ulstersavings.com

Commercial Lending

1315 Rte 9, Hark Plaza Suite 204

Wappingers Falls, NY 12590

Phone (845)-750-2166

Fax (845)-481-7266

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### FINANCIAL PLANNING

**Amy Komondorea**

AXA Advisors

Financial Professional

Phone (845)597-6451

Amy.Komondorea@axa-advisors.com

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### ACCOUNTING SERVICES

D'Arcangelo & Co.

*Certified Public Accountants & Consultants*

Contact: Mike Betros, 845-473-7774

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### LEGAL SERVICES

Kern Augustine Conroy & Schoppmann, P.C.

*Healthcare Law, OPMC,*

*Physician Advocacy Program*

Contact: Michael Schoppmann, Esq., 516-294-5432

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### PAYROLL PROCESSING

**20% Discount to DCMS Members**

Ulster Payroll Services

*A subsidiary of Ulster Savings Bank*

Contact: Kelly Maroney, 845-338-6322, Ext. 3232

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### TRANSCRIPTION SERVICES

Datamatrix Technologies

*Provides Medical Transcription Services*

Contact: Sudeep Chaudhury, 914-948-9065

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### COLLECTION SERVICES

I.C. System

*Debt Collection Agency*

Contact: Carl Lavers, 607-547-9719

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### PROMOTIONAL PRODUCTS

Streamline Promos

*Every order will help support Dutchess County  
Medical Society's programming and events*

Contact: Joe Altieri, 845-475-8402

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## Classified Ads *(free for members)*

Elegant large redwood and brick home for sale. Minutes from Poughkeepsie Hospitals, train station, golf club and tennis club. Cedar-shake roof, custom cabinets in cherry-wood library and huge master-bedroom suite. Three wood-burning fireplaces, natural stone patio and gunite swimming pool. Call Michael at (845) 797 6891.



### Position Wanted: Medical Biller/Coder

Over 28 years experience in the medical field as a biller, patient account representative, and medical coder in private practices. I am a certified professional coder since 2010, and a certified OB/GYN coder since 2014. I am certified in the use of ICD-10 diagnosis codes. Computer skills include eClinical works, Advantx, Medent, Medical Manager, Microsoft Word, and Excel. Please respond to (845) 527-1624. Thank you.

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DataMatrix Technologies, Inc. ▪ 333 Westchester Ave. Suite ET03 ▪ White Plains, NY 10604

# Why the other side hates to see us on your side.

- We go to bat for you and preserve your good name.
- We aggressively defend and resist any payment for frivolous claims.
- We are a tough team to beat and we don't give up.
- We have the finest defense attorneys in the State, respected medical experts, and the country's largest and most experienced claims staff.
- We are not just your liability insurer. We are your legal guardians.

We are MLMIC.  
Our defense never rests.



Medical Liability Mutual Insurance Company (MLMIC) is the one ally you want when you enter the courtroom and your practice and reputation are on the line. The jury may be out. But, you can feel confident, knowing you are protected by the one company that has successfully defended more New York physicians than all other insurers combined.

■ Exclusively endorsed by MSSNY since 1975, MLMIC is a mutual company, owned and operated by the physicians we insure. ■ For more information and an application, call 800-275-6564 (NYC), 800-356-4056 (Syracuse), 877-777-3560 (East Meadow), or 800-635-0666 (Latham). ■



**Endorsed by  
MSSNY**



**Our defense never rests.**

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