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**Minutes of the
Louisiana State Medical Society
Board of Governors Meeting – September 13, 2017**

Call to Order

Beau Clark, MD, President, called the meeting to order, on Wednesday, September 13, 2017 at 8:40 AM. Dr. Clark then led the board in reciting the Physician's Prayer and the Pledge of Allegiance.

Verification of Quorum

Dr. Clark verified the presence of a quorum.

Approval of Minutes

After reviewing the minutes of June 7, 2017, the following motion was made:

MOTION (APPROVED)

**ACCEPT THE MINUTES OF THE BOARD OF GOVERNORS MEETING ON
JUNE 7, 2017 WITH MINOR CHANGES TO WHO WAS PRESENT AT THE
MEETING.**

ABMS MOC Issues and Meeting Request

Mr. Williams directed the board to review a letter addressed to Dr. Lois Nora, President of the American Board of Medical Specialties (ABMS) signed onto by 41 state medical associations and 33 national specialty societies and dated August 18, 2017. The letter highlighted a multitude of issues currently facing physicians related to the ABMS' Maintenance of Certification (MOC) process and requested a face-to-face meeting between the seventy-four (74) organizations that signed onto the letter and the leadership within ABMS to determine if the MOC process can be made more efficient and cost effective for physicians along with many others concessions. Mr. Williams informed the board that the ABMS had agreed to the meeting and it was scheduled for Monday, December 4, 2017 in Chicago. After a few questions and some additional discussion, the following motion was made:

MOTION (APPROVED)

**DR. CLARK AND MR. WILLIAMS WILL ATTEND THE DECEMBER 4, 2017
ABMS MEETING IN CHICAGO TO REPRESENT THE LSMS AND
LOUISIANA PHYSICIANS WITH A REPORT BACK TO THE BOARD OF
GOVERNORS DURING ITS DECEMBER 2017 MEETING.**

MOTION (APPROVED)

**DIRECTED GOVERNMENTAL AFFAIRS STAFF TO WAIT UNTIL AFTER
THE DECEMBER 2017 REPORT ON MAINTENANCE OF CERTIFICATION
(MOC) BEFORE COMMITTING THE LSMS TO ANY POTENTIAL 2018
LEGISLATION RELATED TO MOC.**

Letter of Support for Alarming Pulse Oximeters

Dr. Clark directed the board to a letter he signed on August 22, 2017 lending the LSMS' support to the Louisiana Academy of Otolaryngology in requesting that the Louisiana Department of Health look into

1 providing children who have had a tracheostomy with alarming pulse oximeters as they are an
2 inexpensive and effective way to avoid life threatening complications. The letter was directed to Ms.
3 Jennifer Steele, Medicaid Director.

4 5 **AMA Letter – Protecting Access to Medicare Act of 2014**

6 Dr. Clark directed the board to a letter the executive committee signed onto, via an email vote, on
7 August 28, 2017. The AMA asked interested state medical associations to sign on to a letter regarding
8 the potential cuts to reimbursement for clinical testing services provided by physician office-based labs.
9 The Protecting Access to Medicare Act of 2014 (PAMA) mandated the creation of a new market-based
10 payment system for clinical laboratory testing services paid on the Clinical Laboratory Fee Schedule
11 (CLFS). Under PAMA, CMS required all laboratories meeting certain revenue thresholds to report
12 private payor payments of all tests on the CLFS that are performed in that laboratory. CMS is also
13 requiring laboratories report the associated volume of tests performed and paid at each of those private
14 payment amounts. CMS will then use this data to assign new market-based payment rates to tests paid
15 on the CLFS. The payment rates will be equal to the “weighted median” of the payment rates reported
16 by laboratories for each of these tests. Due to the method used to collect data and calculate new
17 payment rates, the AMA expects that physician office-based laboratories will see cuts to reimbursement
18 for these services of up to 10% per year for the next several years starting on January 1 2018. As many
19 physician office-based laboratories are already operating on thin margins, the AMA expects that
20 potential cuts to reimbursement may be difficult for physician practices to absorb and may ultimately
21 result in decisions to no longer offer these testing services to patients.

22 23 **Site Selection for 2019 House of Delegates**

24 Mr. Williams informed the board that in 2019 the LSMS House of Delegates is scheduled to occur
25 outside of Baton Rouge but no location has been selected. As a result, the board asked staff to send a
26 request for proposals (RFP) to all parish medical societies to gauge their interest and participation for the
27 2019 meeting. Once the RFP has been distributed, staff would give the parish societies 3 weeks to
28 respond with a final decision to be made in December 2017 by the Board of Governors.

29 30 **LSMS Council on Legislation - Vacancies**

31 Dr. Clark informed the board he received notification from Dr. Rick Michael, letting him know he was
32 resigning as the 4th District Council on Legislation (COL) member effective immediately. Dr. Jeff
33 White, 4th District Councilor, then presented the board a letter from the Shreveport Medical Society
34 dated August 18, 2017 letting them know that Shreveport would like to nominate Dr. John Carmody to
35 fill the vacancy created by Dr. Michael’s resignation. Dr. Carmody currently serves as the 4th District
36 COL alternate member. Without any further discussion the following motion was made:

37 38 39 **MOTION (APPROVED)**

40 **THE LSMS BOARD OF GOVERNORS APPOINTS DR. JOHN CARMODY TO**
41 **FILL THE CURRENT VACANCY ON THE LSMS COUNCIL ON**
42 **LEGISLATION AS THE 4TH DISTRICT MEMBER.**

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45 Mr. Williams then explained that Dr. Carmody’s ascension to COL member created a vacancy on the
46 COL as there was no longer a 4th district alternate member. Dr. White then pointed out that Shreveport
47 would like to nominate Dr. Jake M. Majors as the 4th district Council on Legislation alternate member.
48 Again, without further discussion the following motion was made:

1 **MOTION (APPROVED)**

2 **THE LSMS BOARD OF GOVERNORS APPOINTS DR. JAKE MAJORS TO FILL THE**
3 **CURRENT VACANCY ON THE LSMS COUNCIL ON LEGISLATION AS THE 4TH**
4 **DISTRICT ALTERNATE MEMBER.**

5
6 Next, Dr. Reece Newsome, 6th District Councilor, notified the board that the 6th district alternate COL
7 member position was vacant and that the Capital Area Medical Society would like to nominate Dr.
8 Michael Hanemann for the vacancy and without further discussion the following motion was made:

9
10 **MOTION (APPROVED)**

11 **THE LSMS BOARD OF GOVERNORS APPOINTS DR. MICHAEL HANEMANN TO FILL**
12 **THE CURRENT VACANCY ON THE LSMS COUNCIL ON LEGISLATION AS THE 6TH**
13 **DISTRICT ALTERNATE MEMBER.**

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16 **Orleans Parish Medical Society's Position on Local Independence**

17 Dr. Clark reviewed a lengthy letter from the Orleans Parish Medical Society (OPMS), which detailed
18 several potential discrepancies and issues they identified related to the 2017 resolution on local
19 independence. OPMS felt several changes were made to the LSMS Bylaws that were not approved
20 within this resolution as well as having some other issues. Dr. Clark then went over the joint response to
21 OPMS, which was from himself, Dr. Paul Perkowski, LSMS Speaker, Dr. Steen Trawick, LSMS Vice
22 Speaker and Dr. Greg Sossaman, Chairman of the LSMS Committee on Charter and Bylaws. The joint
23 response contained a line-by-line response to each issue raised by OPMS and in the end, concluded there
24 was no merit to the issues raised by OPMS. After several questions, the following motion was made:

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26 **MOTION (APPROVED)**

27 **DR. CLARK AS LSMS PRESIDENT SEND A LETTER TO OPMS LETTING THEM KNOW**
28 **THAT FROM THE BOARD'S PERSPECTIVE THIS ISSUE IS RESOLVED.**

29
30 Dr. Juan Gershanik, 1st District Councilor asked that the vote be recorded. The vote on the motion was
31 taken and the motion passed by a vote of 16-1 with Dr. Gershanik being the lone nay vote.

32
33 **Proposed Membership Activities for 2018**

34 Mr. Williams went over a list of membership related activities for 2018 and asked the board for approval
35 so that the 2018 budget could be appropriately developed with these and/or similar activities slated for
36 next year. The activities included quarterly board meetings, the house of delegates, white coat
37 Wednesday, legislative session, district town hall meetings, medical school spring fling, and a fall
38 conference. After a few questions and discussion, the following motion was made:

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40 **MOTION (APPROVED)**

41 **DIRECT STAFF TO MOVE FORWARD WITH BUDGETING AND PLANNING OF**
42 **PROPOSED MEMBERSHIP RELATED ACTIVITIES FOR 2018.**

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44 **Hurricane Harvey Update**

45 Mr. Williams presented the board with a letter from the Texas Medical Association (TMA) soliciting
46 funds for Hurricane Harvey relief efforts in Texas. The funds will be administered by the TMA
47 Physician's Benevolent Fund and will provide grants to rebuild or repair physician practices damaged by
48 the storm. Mr. Williams also reminded the board that TMA made a \$10,000 donation to the LSMS
49 flood relief campaign a year earlier in 2016. The following motion was then made:

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MOTION (APPROVED)

DIRECT A \$10,000 DONATION TO THE TEXAS MEDICAL ASSOCIATION FROM THE LSMS EDUCATIONAL AND RESEARCH FOUNDATION FOR HURRICANE HARVEY RELIEF EFFORTS IN TEXAS.

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Louisiana State Board of Medical Examiners (LSBME)

Mr. Williams provided a short update on four recent activities that occurred at the June, July and August 2017 meetings of the Louisiana State Board of Medical Examiners (LSBME). 1) Governor Edwards has selected Dr. Lester Johnson to fill the open LSMS seat on the LSBME. 2) Dr. Vincent Culotta, Jr. has been hired as the new executive director of the LSBME. 3) the LSBME is revisiting their proposed rules related to moonlighting and licensure and are expected to be released soon. 4) the most significant development has been the board's decision to partner with the LSMS and LAMMICO to produce a single three hour continuing medical education course related to the on-going opioid epidemic. This course is mandated by law in 2018 and every licensed physician in Louisiana who prescribes opioids must complete the course. Mr. Williams then highlighted the proposal that had been developed by the LSMS, LAMMICO and the LSBME, which would have the three entities partnering together to produce a CME course specific for Louisiana physicians that meets the state mandate and most importantly would be free for all physicians. However, the total costs to produce such an activity has been estimated to be approximately \$30,000 of which the LSMS would be responsible for half while LAMMICO covered the other half and the majority of the production itself. After some debate, the following motion was made:

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MOTION (APPROVED)

A \$15,000 CONTRIBUTION TO LAMMICO IN ORDER TO PRODUCE A FREE THREE HOUR CONTINUING MEDICAL EDUCATION COURSE ON OPIOID ADDICTION THAT MEETS THE 2018 STATE MANDATED REQUIREMENTS FOR PRESCRIBERS.

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Louisiana Patients Compensation Fund (PCF)

Mr. Williams informed the board that he attended the July 6, August 3 and September 7 meetings of the Louisiana Patients Compensation Fund Oversight Board on behalf of LSMS members and provided the LSMS Board of Governors with a summary report on the items discussed and actions taken during the public portion of the meetings. At its July meeting, the PCF Board approved lowering and/or maintaining current surcharge rates for 2018. The new rates for 2018 are as follows:

- Physicians Class 7 (Surgery – Cardiology, OBGYN, Head & Neck) – 14.1% decrease
- Physicians Class 2A, 4 & 6 (Surgery – General, Orthopedic, Thoracic, Traumatic, Vascular) – 9.7% decrease
- Physicians Class 1, 1A, 2, 3, 5, 8 (All other specialties) – 11.9% decrease

Additionally, Mr. Williams notified the board that a LSMS representative on the PCF had recently resigned over a conflict of interest issue after taking a position as a state employee. This now creates a vacancy on the PCF. Dr. Clark reminded the board that in June they interviewed two candidates for an open LSBME seat and ultimately one was chosen by the Governor while the other was not. However, candidate number two has been appropriately vetted by the board and he also wanted to serve the LSMS in a new capacity and, therefore the board should consider this individual for the open seat on the PCF. At the appropriate time, Dr. Luis Alvarado, the nominee in question, was asked to leave the meeting so this issue could be further discussed and after some deliberations, the following motion was made:

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2 **MOTION (APPROVED)**

3 **DIRECTED STAFF TO FORWARD THE NAME OF DR. LUIS ALVARADO TO THE**
4 **GOVERNOR’S OFFICE AS THE LSMS NOMINEE TO THE LOUISIANA PATIENTS**
5 **COMPENSATION FUND OVERSIGHT BOARD.**
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8 **Ruston Fire Department EMS Protocols**

9 At its June 7, 2017 meeting the board failed to approve EMS protocols from the Ruston Fire Department
10 because of their EMS personnel administering/diluting D50 (Dextrose) to children. Dr. Clark then
11 followed up directly with a representative of the Ruston Fire Department and expressed our concerns.
12 and as a result they changed their D50 protocol and resubmitted all of their protocols for approval. After
13 a couple of questions, the following motion was made.
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16 **MOTION (APPROVED)**

17 **APPROVE THE RUSTON FIRE DEPARTMENT EMS PROTOCOLS AS**
18 **PRESENTED AND AFTER CHANGES TO THE ADMINISTERING/DILUTING**
19 **OF D50 DEXTROSE.**
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22 **Burchfield v. Wright**

23 Ms. Bailey updated the board on a new legal proceeding that the LSMS was watching closely where the
24 court system ignored the Louisiana Medical Malpractice Cap and awarded an amount in excess of
25 \$500,000 to an injured plaintiff. As a result, the LSMS joined the Louisiana Hospital Association,
26 LAMMICO, Louisiana Nursing Home Association, Louisiana Dental Association and numerous other
27 stakeholders in filing an amicus brief on this issue. Staff will continue to monitor this case as it works its
28 way through the appeals process and keep the board up to date.
29

30 **Proposal from Epocrates**

31 Ms. Watson presented the board with a new member benefit from Epocrates, which provides a web-
32 based medical reference app. Anyone may download a free version of the app but their Epocrates Plus
33 delivers additional clinical intelligence, practice guidelines, in-depth disease content and alternative
34 medicines. These enhanced features cost approximately \$175 annually but would be free to LSMS as a
35 result of a new partnership arrangement. After some discussion, the following motion was made:
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38 **MOTION (APPROVED)**

39 **APPROVE EPOCRATES PLUS AS A MEMBERS ONLY BENEFIT.**
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42 **Update from eQHealth**

43 Dr. Trent James, Dr. Andy Leonard and Debra Rushing, RN provided the board with an overview of the
44 activities provided by eQHealth Solutions, who serves as the Medicare QIO for Louisiana.
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46 **Louisiana Health Information Network Demo**

47 Mr. Williams provided the board with a brief overview on the proposed Louisiana Health Information
48 Network, which is a real-time clinical network based off the turnkey product developed by Kammico
49 Health Solutions (KHS). On January 6, 2017 the KHS conducted a webinar of their health information
50 network product and the overwhelming response from the LSMS participants was positive. On April
22nd an in-person demonstration took place, which again yielded positive responses. On June 15 and 16,

1 additional demonstrations were held for additional stakeholders, which included but was not limited to
2 LSU Health Sciences Center, Baton Rouge Clinic, Willis Knighton, Louisiana Department of Health,
3 Louisiana Quality Forum, Our Lady of the Lake, Louisiana Academy of Family Physicians, Louisiana
4 Chapter of the American Academy of Pediatrics, Louisiana Chapter of the American College of
5 Obstetricians and Gynecologists, and many others; once again all responses to the demo were positive.
6 Since the demos, Mr. Williams and Ms. Bailey have reviewed the KHS contract offer, financial terms,
7 spoken to other states in similar negotiations with KHS and performed all other due diligence and it's
8 the recommendation of the staff that we move forward with trying to build a physician led health
9 information exchange. After lots of discussion and many questions the following two motions were
10 made:

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12 **MOTION (APPROVED)**

13 **DIRECT MR WILLIAMS TO ENTER INTO AN AGREEMENT WITH KAMMICO HEALTH**
14 **SOLUTIONS ON BEHALF OF THE LOUISIANA STATE MEDICAL SOCIETY IN ORDER**
15 **TO OPERATE A PHYSICIAN LED HEALTH INFORMATION EXCHANGE.**

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17 **MOTION (APPROVED)**

18 **APPROVED AN AD HOC COMMITTEE TO SERVE AS THE INITIAL STEERING**
19 **COMMITTEE OF THE HEALTH INFORMATION EXCHANGE IN THE EARLY PHASES OF**
20 **START-UP AND DEVELOPMENT. THE MEMBERS OF THE AD HOC COMMITTEE ARE:**
21 **BRIAN GAMBORG, MD, SUSAN BANKSTON, MD, PAUL PERKOWSKI, MD, LANCE**
22 **TEMPLETON, MD AND NICHOLAS VIVIANO, MD.**

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25 **Reports of Officers**

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27 **President**

28 Dr. Clark highlighted his recent activities as president, which included attending legislative wrap-up
29 meetings in Baton Rouge, New Orleans, Lake Charles, and Monroe. Additionally, Dr. Clark informed
30 the board that Dr. Larry Simon had recently resigned as LSMS Vice President after accepting a new job,
31 which was perceived as a conflict of interest by his new employer. The position will remain vacant
32 through the end of 2017.

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34 **President-Elect**

35 Dr. Bankston spoke of her recent attendance at the 2017 LAMMICO Defense Counsel meeting held
36 during August in Point Clear, AL.

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38 **Secretary Treasurer**

39 The July 31, 2017 financial statements for the LSMS and Perkins Properties were noted and filed.

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41 **Speaker of the House**

42 Dr. Perkowski did not have anything to report.

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44 **Chair, Council on Legislation**

45 Dr. Broussard did not have anything new to report.

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47 **EVP Report**

48 Mr. Williams waived.

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50 **LSMS Alliance**

1 Mrs. Sarah Kreitziger, President of the LSMS Alliance, provided a brief update on recent Alliance
2 activities.

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4 **LAMPAC**

5 There was nothing of note to report for LAMPAC.

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7 **Adjournment**

8 With no additional business to discuss, Dr. Clark adjourned the meeting at 2:50 PM.

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11 **Attending:**

12 William "Beau" Clark, MD, President
13 Susan Bankston, MD, President-Elect
14 Luis Alvarado, MD, Immediate Past President
15 Paul Perkowski, MD, Speaker, House of Delegates
16 David Broussard, MD, Chair, Council on Legislation
17 Juan Gershanik, MD, First District Councilor
18 Allen Vander, MD, Third District Councilor
19 Frederick J. White, III, MD, Fourth District Councilor
20 Reece Newsome, MD, Sixth District Councilor
21 Brian Gamborg, MD, Seventh District Councilor
22 Lance Templeton, MD, Eighth District Councilor
23 Rod Clark, MD, Ninth District Alternate
24 Nicholas Viviano, MD, Tenth District Councilor
25 Trent James, MD, Senior Physician Section Member
26 Amberly Nunez, Young Physician Section Member
27 Ken Erhardt, MD, Resident and Fellow Member
28 Daniel Harper, Medical Student Member

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30 **Absent:**

31 Richard Paddock, MD, Secretary-Treasurer
32 Steen Trawick, MD, Vice Speaker of the House
33 Robert McCord, MD, Second District Councilor
34 Robert Chugden, MD, Second District Alternate
35 Mark Hebert, MD, Third District Alternate
36 Rick Michael, MD, Fourth District Alternate
37 Ezekiel Wetzel, MD, Fifth District Councilor
38 Adrienne Williams, MD, Fifth District Alternate
39 David Fargason, MD, Sixth District Alternate
40 Yoko Broussard, MD, Seventh District Alternate
41 Anthony Blalock, MD, Ninth District Councilor
42 Jeremy Henderson, MD, Tenth District Alternate
43 Lynn Tucker, MD, Senior Physician Section Alternate
44 Alicia Kober, MD, Young Physician Section Alternate
45 Ryan Wisler, MD, Resident and Fellow Alternate
46 Alexis Rudd, Medical Student Alternate

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48 **Guests Attending:**

49 Sarah Kreitziger, President, LSMS Alliance
50 Sara Sotile, Executive Director, Capital Area Medical Society

1 Andy Leonard, MD, eQHealth Solutions

2 Debra Rushing, RN, eQHealth Solutions

3 **Staff Attending:**

4 Jeff Williams, Executive Vice President & Chief Executive Officer

5 Jennifer Marusak, Vice President of Governmental Affairs

6 Lauren Bailey, Vice President of Legal Affairs & General Counsel

7 Terri Watson, Director of Member Services and Administration

8 Chris Lebouef, Senior Director of Communication

9 Kayne Daigle, Director of Education

10 Sarah Edwards, Office and Events Manager

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14 **Approved:** _____

15 **Richard Paddock, MD, Secretary-Treasurer**

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17 **Date:** _____

DRAFT