



MSSNY Urges Legislature to Reject Budget Proposals That Will Jeopardize Patient Access to Community-Based Physician Care

Through numerous legislative meetings, MSSNY leader physicians and lobbying staff are highlighting the somewhat positive but also adverse items contained in the Governor's FY 2024-25 Executive Budget that will make it even more difficult for patients to maintain access to community-based physician care. While the public messaging surrounding the Executive Budget has focused on efforts to expand access to care, various Budget proposals would do exactly the opposite, and make it much harder for physicians to remain in practice in New York State to deliver care.

Last week MSSNY President-elect Dr. Jerome Cohen delivered testimony at a joint Senate-Assembly hearing examining these issues. [Joint Legislative Budget Hearing 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...). His testimony highlighted positive items in the Executive Budget to expand access to care, including investments in the Patient-centered Medical Home program, further medical student loan repayment programs, telehealth payment parity; and expanded health insurance subsidies. However, his testimony urged the Legislature to reject several highly concerning proposals. His testimony urged:

- ***Oppose CPH Elimination.*** Opposing a proposal in Part L of the HMH Art. 7 Budget bill to repeal authorization for the MSSNY's Committee for Physicians Health (CPH) program. CPH has for over 40 years provided needed treatment services for thousands of physicians facing behavioral health or addiction issues. Last year, the State Legislature and the Governor agreed to continue this essential program for an additional 5 years. CPH is not funded out of the General Fund but through a \$30 set-aside through the physicians' biennial registration fee that results in an annual appropriation to CPH of \$990,000.

Please send a letter to your legislators here to preserve the essential services provided by the CPH program: [URGENT: Help Restore Funding for CPH Program \(p2a.co\)](https://p2a.co)

- ***Oppose Cuts to Excess Insurance Coverage.*** Opposing a proposal in Part K of the Art. 7 HMH Budget bill that would impose thousands to tens of thousands of dollars in new costs on the 15,000 physicians enrolled in the Excess Medical Malpractice Insurance program, by requiring physicians to pay 50% of the coverage cost. This is a nearly \$40 million hit to community-based physicians across the state who already pay among the highest medical

liability insurance costs in the nation. For many downstate surgeons, this cost will be in tens of thousands of dollars!!

Please send a letter to your legislators here to oppose this unfair cost imposition: [Reject Physician Cost-Share for Excess Medical Malpractice Insurance Program \(p2a.co\)](#)

- **Protect Physicians' Right to Appeal Claim Underpayments.** Opposing a proposal in Part H of the Art. 7 HMH Budget bill that would repeal the ability of physicians to bring claim disputes with Medicaid Managed Care plans to the Independent Dispute resolution (IDR) process. This change, which would overturn a recent action by DFS to permit the right to appeal these claims through IDR, will lead to steep health insurer payment cuts and network reductions, and discourage many physician specialists from providing essential on-call emergency department care.

Please send a letter to your legislators opposing these changes [Retain Right to Use Independent Dispute Resolution Process \(p2a.co\)](#)

- **Protect Physician-Led Team Care.** Opposing a series of scope expansion proposals in Part Q of the Art. 7 HMH Budget bill to permit Physicians Assistants (PAs) to practice without any physician supervision or collaboration after 8,000 clinical hours if they practice in primary care or are employed by a hospital; Permitting dentists to perform screening tests for HIV, Hepatitis and Diabetes; and authorizing pharmacists dispensing PrEP on a non-patient specific prescription basis.

Please send a letter to your legislators urging them to protect physician-led team care [Preserve Physician-led, Team-based Healthcare \(p2a.co\)](#)

- **Protecting Patient Access to Needed Medications and Treatments.** Opposing proposals in Part I of the Art. 7 HMH Budget bill that would increase prior authorization hassles for Medicaid prescriptions by repealing "prescriber prevails" protections and give power to Medicaid to reimburse physicians for injectable medications at amounts even less than what the physician office paid to acquire the injectable medication.

MSSNY has been working with specialty societies to send joint communications to the entire Legislature raising our collective concerns with these proposals, and the adverse impact on patient access to community-based physician care.

(DIVISION OF GOVERNMENTAL AFFAIRS)

Physicians and Medical Students Must Come to Albany on March 12th, 2024, to Meet with Their Senators and Assembly Members!

Physicians and Medical Students plan to be in Albany on Tuesday, March 12th, 2024, for MSSNY's annual Physician Advocacy Day. There are numerous adverse measures that physicians must let their Senators and Assemblymembers know they oppose in the Governor's Budget. These include requiring physicians to pay thousands or tens or thousands of dollars for Excess Medical Malpractice coverage, repealing authorization for the MSSNY's Committee for Physicians Health (CPH) program, expanding the scope of practice for physician assistants, pharmacists, and dentists, and prohibiting physicians from bringing Medicaid Managed Care claim disputes to Independent Dispute Resolution. Do not miss out on this significant opportunity for physicians to talk directly to Senators and Assemblymembers about how the Executive Budget will harm patient access to community-based physician care. To view the flyer, click here: [Physician Advocacy Day Flyer](#).

To register, click here: [Physician Advocacy Registration](#).

MSSNY's lobby day will be held in person! It will take place at the Empire State Plaza (The Egg) in Albany from 7:45-11:00am. Physicians and their allies will hear from legislative leaders in the

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morning, including New York State Health Commissioner Dr. James McDonald, and the chairs of key health policy committees. In the afternoon, they will meet with their respective legislators in meetings organized by county medical societies.

Please plan to join hundreds of colleagues from around the state in Albany on March 12th!

(HOSPODAR)

New York County Medical Society Legislative Forum Focuses on Pressing State Budget Issues

MSSNY lobbying staff participated in a legislative forum last Sunday for physician advocates organized by the New York County Medical Society, New York County Psychiatric Society & the NY Council on Child & Adolescent Psychiatry. Among the presenters were NYS Assembly Health Committee Chair Amy Paulin, Assemblymember Alex Bores and Assemblymember Tony Simone.

Many problematic Executive Budget issues were discussed, including the proposed cost-imposition on physicians for the Excess Medical Malpractice Insurance Program, the proposed elimination of MSSNY's Committee for Physician Health (CPH) program, and the proposal to eliminate currently required physician supervision of care provided by Physician Assistants (PAs) with more than 8,000 hours of clinical practice.

It was suggested by legislators that physicians provide examples of patients experiencing adverse health consequences due to unsupervised care provided by various non-physicians when they had been permitted to do so during the public health emergency. While previous MSSNY surveys have generated such physician anecdotes which have been shared with the Legislature, physicians are urged to again share their stories using this [FORM](#).

(CARY)

MSSNY Organizing Meetings on Capitol Hill to Discuss Impact of Cuts to Physician Medicare Reimbursements on Patient Access

MSSNY lobbying staff is organizing visits for New York physician leaders in Washington, DC, with members of New York's Congressional Delegation on Tuesday, February 13th to discuss how recently imposed steep cuts to Medicare payments is putting Medicare-enrolled patients across New York State in serious jeopardy of losing access to their community-based physicians.

The group will also highlight how unless Congress acts soon, the most recent 3.37% percent cut that went into effect on January 1st, will become permanent. The most recent Continuing Resolution (CR) passed by Congress and President Biden, which keeps the government funded until early March, extended the deadline for the final 2024 appropriations package – our last best hope in reversing these devastating cuts. To learn more about the [AMA's campaign](#) to fix Medicare, and to contact your Senators and Representatives, click here: [| Fix Medicare Now](#)

The Hill meetings are in conjunction with the American Medical Association's annual National Advocacy Conference (NAC).

(CARY)

Registration Now Open Medical Matters CME Webinar

[The Many Faces of COVID](#)

Wednesday February 21, 2024 @ 7:30am

As we enter the fifth year of living (and dying and suffering) with COVID, the only certainty is its unpredictable nature. Learn more about *The Many Faces of COVID* by registering for the next Medical Matters webinar on February 21st at 7:30am. William Valenti, MD, Chair of MSSNY's Infectious Diseases Committee and member of MSSNY's Committee on Emergency Preparedness and Disaster/Terrorism Response will serve as faculty for this webinar. [Register now](#)

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Educational objectives are:

- Describe typical COVID symptoms and variant effects on progression and presentation.
- Define vaccine fatigue and the impact it has had on upticks in COVID spread.
- Identify methods to employ when diagnosing, treating, and preventing the spread of COVID.

Additional information or assistance with registration may be obtained by contacting Melissa Hoffman at mhoffman@mssny.org.

The Medical Society of the State of New York is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

The Medical Society of the State of New York designates this live activity for a maximum of 1.0 AMA PRA Category 1 credits™. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

(HOFFMAN)

Women Physicians Leadership Academy: March Registration Now Open!

Join MSSNY and MESF for the March 2024 Women Physicians Leadership Academy, a series of virtual leadership webinars for physicians, residents, and med students. This academy will be held over a series of Saturdays in March (March 2, 9, 16) from 7:45-11:15 am. The Fall sessions (October 21, 28, November 4) are now available on the MSSNY CME website. Topics for the March series will include the importance of networking, enhancing physician wellness and belonging, and designing your medical career. Participants can earn a maximum of 18 continuing medical education credits for the completion of the entire series.

March registration links are below:

March 2, 2024: [The Importance of Networking](#)

March 9, 2024: [Enhancing Physician Wellness and Belonging](#)

March 16, 2024: [Designing Your Medical Career](#)

Any questions about the Women Physicians Leadership Academy, please reach out to Pat Clancy, MSSNY Sr. Vice President/Managing Director at pclancy@mssny.org or Emily Rento, MSSNY's Public Health Associate at erento@mssny.org

(RENTO)