



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

MSSNY physician leaders and lobbying staff are continuing to communicate with Senators and Assemblymembers highlighting the somewhat positive but also adverse items contained in the 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.

MSSNY has noted the positive items in the Executive Budget that would 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 for those purchasing coverage through New York's Health Insurance Exchange.

However, there are numerous problematic initiatives that physicians far and wide are advocating to have removed from the State Budget, as they would drive many physicians out of practice altogether, harming patient access to care. Our efforts include:

- ***Opposing CPH Elimination.*** Opposing a proposal in Part L of the HMM 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)

- ***Opposing Huge Cost Imposition for Excess Medical Malpractice Insurance Coverage.*** Opposing a proposal in Part K of the Art. 7 HMM Budget bill that would impose thousands to tens of thousands of dollars in new costs on the nearly 16,000 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. Many physicians will face no choice but to decline the coverage because of lack of affordability.

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

- **Opposing Repeal of 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. Instead of empowering hospitals to replace physicians, efforts should be focused on increasing the supply of trained primary and specialty care physicians across the State.

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 State 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 Must Come to Albany on March 12th, 2024, to Meet with Their Senators and Assembly Members!**

Physicians and Medical Students must plan to be in Albany on Tuesday, March 12th, 2024, for MSSNY's annual Physician Advocacy Day. There will not be a remote option for this event. Being physically present in Albany will send a direct and impactful message that Zoom cannot achieve. Physician Advocacy Day will occur Tuesday, March 12th, 2024, at the Empire State Plaza (The Egg) in Albany from 7:45-11:00 am. Physicians will hear from the NYS Health Commissioner, the Assembly and Senate Minority Leaders, and the Chairs of the Senate and Assembly Health and Insurance Committees, followed by an informal lunch attended by legislators from your area, followed by the opportunity for legislative visits in the afternoon.

There are numerous adverse measures that physicians must let their Senators and Assembly Members know they oppose in the Governor's Budget. These include requiring physicians to pay 50% of the Excess Medical Malpractice coverage cost, 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 Assembly Members about how the Governor's Budget is singling out physicians and 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](#).

In addition to State Budget issues, we will be advocating for policies that address public health threats, reduce medical liability costs, remove barriers to patients accessing needed care, and reduce prior authorization and claim payment hassles.

Now is the time to fight for your profession and your patients! Please plan to join hundreds of colleagues from around the state in Albany on March 12<sup>th</sup>!

**(HOSPODAR)**

### **Prior Authorization Burden Reduction on Senate Health Committee Agenda for Next Week**

Next week's Senate Health Committee agenda includes legislation (S.3400, Breslin) supported by MSSNY and many other patient advocacy organizations [S3400 \(mssny.org\)](#) that would help to reduce excessive health insurer prior authorization requirements, including prohibiting repeat prior authorization requirements after an initial prior authorization for needed patient treatment has been granted by a health insurer. Identical legislation (A.7268, Weprin) is before the Assembly Insurance Committee. Physicians can send a letter in support here: [Urge Your Legislators to Support Prior Authorization Reform! \(p2a.co\)](#).

**(AUSTER, CARY)**

### **MSSNY Pushing to Make Payment Parity for Insurer Telehealth Coverage Permanent**

MSSNY is working to win support from lawmakers to make parity in payments for Telehealth services permanent in the final state budget for FY2024-25. A provision was included in the final budget for FY2022-23 but this health insurer requirement is scheduled to expire on April 1, 2024. Governor Hochul included a proposal in her budget for FY2024-25 to extend the law for one year.

At the height of the COVID-19 crisis, the use of Telehealth dramatically increased and became an essential way for physicians to provide care to their patients. Even with the end of the public health emergency, there is still enormous use of telehealth modalities to deliver essential patient care, particularly for behavioral healthcare services. We are concerned that elimination of this requirement for fair payment will result in a significantly diminished availability of a new method for delivering care that is beneficial for many patients.

MSSNY is working closely with the New York State Psychiatric Association (NYSPA) and a range of other specialty physician organizations to advocate for permanency in the budget and we will update members as negotiations progress.

**(CARY)**

### **Support Continuation of Veterans Mental Health Training Initiative in State Budget**

[Click the link here](#) to show your legislators that you support the continued funding of the Veterans Mental Health Training Initiative in the 2024-2025 budget. Funded since 2009 through the New York State budget, MSSNY has been providing training for primary care physicians and health practitioners from across the primary care specialties, on veterans-specific mental health issues including combat and service-related post-traumatic stress disorder, traumatic brain injury, suicide in veterans, substance use, military culture, women veterans' mental health conditions including the impact of military sexual trauma and burn pits.

The US Department of Veterans Affairs launched a new initiative in January 2023 to allow veterans in crisis to obtain care in practices and facilities outside of the VA. While this initiative will increase access to services, it will place an even greater reliance on private practices and community mental health practitioners for services not provided by the VA or when the VA is unable to meet the demand. For the above reasons MSSNY, The New York State Psychiatric Association (NYSPA), New York State Chapter of the National Association of Social Workers (NASW-NYS) urge the final budget for 2024-25 to include the \$350,000 appropriation for the VMHTI.

Prior funding for the VMHTI has allowed the VMHTI to successfully train over 5,400 primary care physicians and psychiatric practitioners through the MSSNY & NYSPA programs, and over 15,000 social workers and community mental health providers, including LMFTs, LMHCs, and licensed psychologists through the NASW-NYS program. Show your support today!

**(HOSPODAR)**

### **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 21<sup>st</sup> 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](#)

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](mailto: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. Links to register for each program:

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

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

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

**(RENTO)**