

Mary C. Blue, M.D., Editor

FEBRUARY 18, 1991 GENERAL MEETING

"DIVE MEDICINE"

Spouses invited to attend
Cost of meal \$18.60

Bruce Flareau, M.D. is an expert in Dive Medicine and one of the few physicians in Florida trained in Dive Medicine. ■

MEDICAL SOCIETY MEETING

Royal Palm Yacht Club

Cocktails 6:30
Dinner 7:00 P.M.

FEBRUARY 18, 1991

SPEAKER:

Bruce Flareau, M.D.

TOPIC:

"Dive Medicine"

"DINNER BY RESERVATIONS ONLY"

PLEASE!!!

L.C.M.S. Members: All reservations must be made by Friday noon before the Meeting on Monday. Cancellations should be no later than noon on Monday. The Society must pay for all reservations made.

PRESIDENT'S MESSAGE



WILLIAM P. EVANS, M.D.

With the start of hostilities in the Persian Gulf, one can't help but wonder how the events will unfold over the next several weeks or months. I know that all of us and our families have some anxiety about this war, even though we are thousands of miles away and seem to be relatively safe. I hope that by the time this is published, the hostilities are ended; I suspect that's just wishful thinking and that this may be a long, more difficult mission to complete. With that in mind, I hope each one of you will take time to say a prayer for peace, and a prayer for all the men and women in the armed forces in the Middle East. Apparently there are some local South-west Florida citizens, and perhaps even some of our medical colleagues, who are currently, or will be serving in some capacity there. I know that I speak for all of us in wishing for their safe and prompt return. This will not be an easy time for any of us.

On a lighter note, at our January Board of Governors Meeting we had two very interesting presentations. I would very briefly like to share them with you. Judge Thomas Reese informed us about a new drug rehabilitation program currently in effect in Dade County, called "Drug Court". This is an interesting program which involves the use of acupuncture with multi-disciplinary counseling and therapy sessions. This has been extremely effective in Dade County, used only for first time drug offenders. The success rate has been amazingly high for those who complete the program. One of the many benefits is the tremendous cost savings to the taxpayers by keeping these individuals out of jail and avoiding the subsequent costs of incarceration. Judge Reese is very interested in trying to bring this program to Lee County. I think he is interested in possibly soliciting the assistance of the Lee County Medical Society and the expertise that we may bring to bear on the subject. We have asked him to address our March General Meeting - I think we will find this to be most interesting. We certainly want to try to support him in this effort.

Secondly, Dr. Bob Brueck addressed us concerning a new program in Lee County called "Paint Your Heart Out".

Continued on page 2

"DR. JOHN"

Another Icon

Much like the Supreme Court Justice and pornography, I may not be able to define lovely, but I know it when I see it. And I had seen it.

I saw her for the first time when she was a high school cheerleader, coming in for a routine physical. I was the new guy, so she was on my list. Today she would be called a heartbreak blonde, and rightly so. Unfortunately, she was healthy and didn't have to come back.

I probably didn't tell Alice about her. Alice was trying to keep her hair color at the time, and I suppose I didn't want to distract her. A woman with two in diapers and two trying to escape over the fence isn't interested in everything.

Several years went by, and I found her name in my appointment book again. Reminding myself not to bother Alice with the details of my day at the office, I entered the examining room and said hello.

She was fully dressed: a little hat, dark blue dress with Peter Pan collar, high heels and white gloves. Her ankles were demurely crossed, her hands in her lap. There was a faint aura of Chanel No. 5 and violin music. This was a class act.

She reminded me of the girls at Saturday afternoon dances in Washington; girls who did not sweat, girls who could dance without actually touching the floor, while the band played "The Lady Is A Tramp" all afternoon. This was in the days when I owned a blue cashmere jacket and was somewhat of a lounge lizard.

This out-of-body experience ended when my patient opened her mouth to speak. I quickly wondered if butter would melt in that mouth. I had heard that expression for years but it had always been just a joke; this was real.

"Dr. Agnew," she said, "I just want to ask you a question."

You can ask me about porkbelly futures if you like, I thought, but I told her to go right ahead.

"It's about my boyfriend. He's away for the summer and he wrote me that he had gonorrhea, and that he got it from a toilet seat. What I want to know is, is that possible?"

Even these mundane words had a musical quality, coming from her. She shook her head a little, and the light shimmered on her long hair. I must be very diplomatic, I thought; mustn't upset her, mustn't cause her unnecessary grief. She probably had to look up gonorrhea in a dictionary. Maybe even toilet seat.

"Well," I replied, "that story has been told many times, but, to the best of my knowledge, it is not possible."

Her mouth became a little harder, the blue of her eyes a little darker. The wheels, I could see, were turning.

"Oh," she said, "you have to f--k, huh." Somehow, life was never quite the same after that. ■

John R. Agnew, M.D.

MINI-INTERNSHIP PROGRAM



Front Row (L to R): Ms. Theresa Goodlad, Mr. Kenneth Wilkinson, Ms. Vicki Culver
Back Row (L to R): William P. Evans, M.D., LCMS President, Alagumalai Ka. Swamy, M.D., Mohammad A. Rashid, M.D., Nelson Charles, M.D., and Valerie C. Moore, M.D., Chairman
Host Hospital: East Pointe Hospital

Our first 1991 Mini-Internship Program was held Monday and Tuesday, January 21 and 22. East Pointe Hospital hosted our program and provided breakfast for us on Wednesday morning, when we shared with each other what had taken place the last two days.

Our Interns continued to be amazed at the pace a physician must keep to get through the day. They saw our physicians as caring and compassionate healers - communications being the top priority in the patient/physician relationship. Interns and Faculty felt it to be a rewarding and educational program in changing the perception of medicine. ■

LORRAINE DAY, M.D. TO KEYNOTE FMA LEADERSHIP CONFERENCE

Nationally recognized orthopedic surgeon Lorraine Day, M.D. will keynote the FMA's 1991 Leadership Conference set for February 22-24 at the Sawgrass Marriott, Ponte Vedra Beach. Dr. Day's presentation is entitled, "AIDS: Can We Believe The Experts?"

Dr. Day has appeared on the CBS television program, "60 Minutes", testified before Congress, and has been outspoken in her consultations with the U.S. Center for Disease Control on the need to protect health care workers as well as patients in dealing with the deadly HIV/AIDS epidemic.

Complete registration information is included in the December and January issues of FMA Today. ■

"PAINT YOUR HEART OUT"

SATURDAY, APRIL 6, 1991
SIGN UP FOR A DAY
OF FUN & FELLOWSHIP
HELP OUR COMMUNITY PAINT
HOUSES FOR THE NEEDY
CONTACT THE MEDICAL
SOCIETY OFFICE!

In Memoriam JAMES B. SCHUTT, M.D. 1908-1991

Jim came to Fort Myers Beach to open a General Practice in medicine in 1956. There was a total of 36 physicians in Lee County at that time.

He received his medical degree from Indiana University and completed his internship at the Indiana University Hospitals.

He was an unusual but exceedingly lovable person. In 1971 he retired from his years of dedication and caring for his patients.

Jim will be well remembered for his prolific vocabulary, many words not in the dictionary. He lived a good life and passed away quietly. Jim will be missed by those whose lives he touched. He is survived by his wife Marie.

His friend,
Roger D. Scott, M.D.

LEE COUNTY
MEDICAL SOCIETY
BULLETIN3805 Fowler Street
Fort Myers, Florida 33901
Phone (813) 936-1645

The Lee County Medical Society Bulletin is published monthly with the June and August editions omitted.

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The Editor welcomes contributions from the members. Opinions expressed in the Bulletin are those of the individual authors and do not necessarily reflect policies of the Society.

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PRESIDENT'S MESSAGE

(continued from page 1)

This is a campaign which he and other leaders in Lee County have organized which helps indigent people by painting homes in the county using volunteer services of people and businesses in the area. The idea is to form groups of 25 people, who are then organized and provided with paints and materials in order to paint a single home. The goal of this program is to paint perhaps 50 homes. This will be happening on April 6. Through his presentation to the Board, we feel this is a great program for us to become involved. It's a great public relations program, another way we can be involved with the community and to help others. I would hope that we could have at least two teams of 25 members representing the Lee County Medical Society and Auxiliary. We also proposed to provide some financial assistance to help make it a success. Bob has worked very hard with this, and it seems to me this is an effort which we should support wholeheartedly. Dr. Brueck will also be making a presentation to the General Membership about this program. I hope as many people as possible will participate. ■

GRASS ROOTS TO THE FUTURE

by Tad P. Fisher

Deputy Director, Division of Legislation & Public Affairs, FMA

NOVEMBER 9, 1989 — The people of East and West Germany are joined together after completing several months of protest culminating with the fall of the Berlin Wall. The Eastern Block Nations are following the lead of the Soviet Union in their quest to **breathe freedom**. The people speak, are heard and affect change. Grass roots protest unleashes a new freedom never experienced before.

OCTOBER 1990 — HHS Secretary Louis Sullivan and HCFA Director Gail Wilensky announce that major portions of the CLIA-88 regulations will have to be rewritten based upon the more than 50,000 complaints received during the 120-day extended comment period. More than 250 letters from members of Congress were included in the comment count.

NOVEMBER 6, 1990 - Incumbent Governor Bob Martinez of Florida loses to former U.S. Senator Lawton Chiles. The Chiles campaign is organized through the "Grass Roots" electorate. Over 75,000 small financial contributors form the base of support necessary to dethrone a well financed incumbent. In Broward County the same results were achieved by political neophyte Karen Andreas upsetting incumbent County Commissioner Roger Dobson.

NOVEMBER 6, 1990 — The Texas gubernatorial race stuns the nation's political experts with the upset victory of Ann Richards over millionaire Clayton Williams. The well financed and organized Republican candidate is beaten by a people's campaign. "Rank and file" citizens of Texas join together to overcome long odds and insurmountable political pressure to elect a voice for their needs.

Over the course of the past year, we have witnessed unprecedented change in the political alliance and governmental rule of nations. Once rigid, suppressive societies have now been opened to free thought and expression. Closed ideology is replaced with a clear message that the people come first and political bickering second.

Grass roots initiatives, constitutional amendments, referendums and rebellious boycotts are replacing legislation. People are tired of waiting for politicians to listen and have begun to regain the control that formulates decisions. We are clearly in a revolutionary time, a return of power to the people.

FLORIDA VOTES FOR CHANGE — In Florida, the 1990 election has conveyed the message that Floridians are not going to wait for change to occur. They have indicated by their vote that leadership is necessary and shall be expected. Today's elected official will be held accountable, will be expected to vote for solutions, will have to listen to the electorate and those that contribute and educate. Grass Roots

driven organizations will prevail only if they utilize their strength in numbers mobilizing supporters to persuade opinion.

Medically, health care in America is at a crossroads. Technology, cost and attitude have changed health care delivery forever. The professional provider faces deepening regulation, restriction, scrutiny and demand. No American physician will escape the changes that have occurred or will occur regulating the profession. **The entitlement mentality is a reality.** Health care is a right, perceived as clearly as the "unalienable Rights of Life, Liberty and the pursuit of Happiness" outlined in the Declaration of Independence.

CHANGING PERCEPTIONS — Your ability as physicians to affect change upon government that regulates you will be determined by the success achieved in changing the perceptions of your patients and elected representatives. In 1988, your efforts educated over 2 million voters and Floridians that a crisis exists in the tort system of our state. The failure of Amendment 10 was a grass roots victory in education. Floridians are beginning to equate the problems in health care delivery with the unfairness of the tort system.

Today, medicine faces an internal crisis. The profession is losing its grass roots grip on the soil of its foundation: the patient. Physicians are not using their most precious asset, the ability to communicate to a captive patient, one-on-one.

THE GIFT TO HEAL — Grass roots exists in your professional lives through your patients. Your tools for tending to the needs of your roots are your God given skill and education. Your compassion and determination make you special, for you have the gift to heal.

Like incumbent governors, congressmen, legislators or councilmen, you have to be attentive to the grass roots constituency. Like votes in an election, your patients guide the success of your practice. Your grass roots need to be nurtured in kindness, fertilized through education and groomed to carry the message that quality health care can be available to all Floridians.

A HEALTH CARE RESOURCE — You are a health care resource. The Medical Society and Florida Medical Association are your organizations unifying and solidifying you collectively as one voice.

Our grass roots organization, your participation in the education of your patients, legislators and congressmen will change perceptions.

Physicians, united, working together for the delivery of health care will prevail when they communicate through the **Grass Roots** of our state and nation. ■

CHANGE OF
LEADERSHIP

At the General Meeting on January 21, 1991, Dr. William P. Evans (L), 1991 President, presented Dr. Kim Spear (R) with a plaque commemorating his dedication to our profession and congratulated him on a successful year as President. ■

THE SPIRIT OF
HOLIDAY SHARING

A special thank you is in order for Jayne Spear who organized our Holiday Party. She did a wonderful job. The party was well attended and a good time was had by all.

We can all be proud to be a part of such a generous group. The Medical Society and Auxiliary members were jointly asked to bring a board game or cash donation to the party to provide support for the Southwest Florida Juvenile Detention Center. **Your response was overwhelming.**

Brenda Krill and Debi Campbell did a terrific job of organizing this project. They collected almost \$1,500 and over a hundred games and supplies for the kids. Many of you chose to give extra generously, and you are greatly appreciated. The money will be used to buy four long lasting, sturdy game tables, and to repair used equipment.

The Juvenile Detention Center was thrilled with our efforts. Budget cutbacks have eliminated their ability to make these kinds of purchases.

I would venture to guess that the Juvenile Detention Center is not at the top of most lists when one thinks of needy organizations at holiday time. Our group showed the true spirit of giving by showing so much support for these unfortunate kids. Thanks for your participation. I hope this joint project becomes an annual tradition.

Debbie Bloy
Auxiliary President

HRS - LEE COUNTY PUBLIC HEALTH UNIT - LIST OF REPORTABLE DISEASES

Section 381.231, Florida Statutes (F.S.) provides that "any attending physicians, licensed in Florida to practice medicine, osteopathic medicine, chiropractic, naturopathy, or veterinary medicine, who diagnoses or suspects the existence of a disease communicable among humans or from animals to humans shall immediately report the fact to the Department." The county public health units serve as the Department's representative in this reporting requirement. Furthermore, this Section provides that "periodically the Department shall issue a list of diseases determined by it to be communicable within the meaning of this chapter and shall furnish a copy of said list to the practitioners." Following is a list of our recently revised list of reportable diseases. To report, call AIDS: 433-6596; Tuberculosis: 332-9529; Sexually transmitted diseases: 332-9546; All others: 332-9580.

Notifiable Diseases/conditions to be reported by telephone (preferred) or in

writing within 48 hours to the county health unit by name, address, phone number, date of onset, date of birth, race, and sex:

AIDS, Amebiasis, Animal Bite (of humans only by a potentially rabid animal), Anthrax (T)(H), Botulism, Brucellosis (H), Campylobacteriosis, Chancroid, Dengue, Diphtheria (T), Encephalitis: [Eastern Equine, St. Louis, Venezuelan Equine, Western Equine, Post-Infectious (mumps), Post-Infectious (measles), Post-Infectious (varicella), Post-Infectious (influenza), Post-Infectious (Herpes), Other (including unspecified)], Giardiasis, Gonorrhea, Granuloma Inguinale, Hansen's Disease (Leprosy), Hemorrhagic Fevers (T), Hepatitis: [Hepatitis A, Hepatitis B, Hepatitis Non-A, Non-B (assoc. with blood/blood products), Hepatitis Non-A, Non-B (not assoc. with blood/blood products), Hepatitis (unspecified), Histoplasmosis, Legionnaire's Disease, Leptospirosis, Lymphogranuloma Venereum,

Malaria, Measles (T), Meningitis: [Aseptic, Meningococcal (Neisseria Meningitidis), Haemophilus Influenzae, Streptococcus pneumoniae, Group B streptococcus, Listeria monocytogenes, Other (including unspecified)], Meningococcal Primary Bacteremia, Mumps, Paralytic Shellfish Poisoning (T), Pertussis, Pesticide Poisoning (T) (*), Plague (Bubonic) (T), Plague (Pneumonic) (T), Poliomyelitis (T), Psittacosis, Rabies (Human), Relapsing Fever (Louse-Borne) (T), Rocky Mountain Spotted Fever (Rickettsia), Rubella Syndrome (Congenital), Rubella (German Measles), Salmonellosis, Schistosomiasis, Shigellosis, Smallpox (T), Syphilis, Tetanus, Toxoplasmosis (acute), Trichinosis (H), Tuberculosis, Tularemia (H), Typhoid Fever, Typhus Fever (Louse-Borne) (T), Typhus Fever (Murine), Vibrio Cholerae, Vibrio Alginolyticus, Vibrio Cholerae, Vibrio Mimicus, Vibrio Cholera (T), Vibrio Vulnificus, Vibrio Parahaemolyticus, Vibrio Other Yellow Fever (T)

Any disease outbreak (community, hospital, or other institutions, of food-borne/waterborne)

NOTES: (T) To be reported immediately by telephone, (H) Cases in animals are to be reported only if associated with a human case.

OPTIONAL REPORTS - Reporting the following disease/condition is encouraged but not required:

Cellulitis (Haemophilus influenzae), Epiglottitis (Haemophilus influenzae), Kawasaki Disease, Pneumonia (due to): [Group B streptococcus, Haemophilus influenzae, Neisseria meningitidis, Streptococcus pneumoniae], Primary Bacteremia (due to): [Group B streptococcus, Haemophilus influenzae, Listeria monocytogenes, Streptococcus pneumoniae], Reye Syndrome, Septic Arthritis (due to): [Haemophilus influenzae, Neisseria meningitidis], Toxic Shock Syndrome.

John J. Naponick, M.D.
Director, L.C.P.H.U.

WHAT'S NEW?

Current News & Happenings At Area Hospitals

EAST POINTE HOSPITAL

CLOSED CIRCUIT EDUCATION CHANNEL AT HOSPITAL

Patient education is a vital component in improving and maintaining health. In order to expand patient education services, East Pointe Hospital's Professional Education Department has implemented a Closed Circuit Television System (CCTV). This system allows patients and family members to view educational videos on various health topics from the comfort of the patient's room.

East Pointe Hospital has programmed Channel 3 to serve as our patient education channel. Programs shown over Channel 3 represent a wide range of topics, including diabetes, heart disease, prostate surgery and lung disorders. These programs are broadcast from 9:00 a.m. to 9:00 p.m., seven days a week. ■

GULF COAST HOSPITAL

FIRST MEDICAL STAFF OFFICERS & EXECUTIVE COMMITTEE ELECTED

The first Medical Staff Officers and Executive Committee of Gulf Coast Hospital have been elected. The following physicians will serve on the Committee for 1991: President: James Taylor, D.O.; President-Elect: Edward Salko, Jr., D.O.; Secretary: Stephen Hannan, M.D.; Chairman, Dept. of Medicine: Dale Haggman, D.O.; Chairman, Dept. of Surgery: Robert Sonn, D.O.; Chairman, Dept. of Medical Education: Nicholas Centafont, D.O.; Members at Large: Michael Raymond, M.D. and Jacob Goldberger, M.D.

Gulf Coast Hospital is a 120-bed general, medical/surgical facility located in south Fort Myers at the intersection of Daniels Road and Metro Parkway. ■

SOUTHWEST FLORIDA REGIONAL MEDICAL CENTER

EXECUTIVE COMMITTEE ANNOUNCED

The 1991 Medical Staff Executive Committee for Southwest Florida Regional Medical Center has been elected. The slate of officers includes: President: Douglas Henricks, M.D.; President-Elect: Robert Brueck, M.D.; Chairman, Dept. of Surgery: Dennis Stapleton, M.D.; Chairman, Dept. of Medicine: Alan Siegel, M.D.; Member at Large, Dept. of Medicine: Gary Price, M.D.; Member at Large, Dept. of Surgery: James Borden, M.D.; Chairman, Credentials Committee: Larry Eisenfeld, M.D.; Secretary: Paul Driscoll, M.D. ■

LEE MEMORIAL HOSPITAL

BOARD OFFICER ELECTIONS HELD

The Board of Directors for Lee Memorial Hospital recently held elections for 1991 Board Officers.

Chairman is Lois C. Barrett, District 3; Anna E. Marks, District 1 is Vice-Chairman; Lester A. Coggins, Sr., District 4 is Treasurer; and Mark Abels, District 2, is Secretary.

In the recent November General Elections, Frances C. Fenning was elected as the newest member of the Board in District 2; she replaces Thomas G. Lozier who did not seek re-election. Mark Abels was re-elected in District 2, as were incumbents Lester A. Coggins, Sr., and William (Bill) Martin in District 4.

Other members of the Board are F.L. (Larry) Daniels, District 5; Bruce J. Scott, District 5; and John P. Valentine, District 1.

The 10 members of the Hospital Board of Directors of Lee County are elected by the public in non-partisan, county-wide elections and serve four-year terms. Two are elected from each of the five County Commission districts. ■

AMA GUIDELINES ON DRUG INDUSTRY GIFTS

The AMA adopted guidelines for dealings between drug makers and physicians. The PMA has similar guidelines.

Unacceptable gifts:

- Cash
- Subsidies for travel, lodging or personal expenses or in compensation of time spent for physicians attending conferences or meetings.
- Payment for token consulting or advisory services.
- Gifts with "strings attached", such as those given in relation to a physician's prescribing practices.

Acceptable gifts:

- Gifts with educational value, such as

textbooks

- Work-related gifts of minimal value: pens, notepads and penlights.
- Subsidies to underwrite the costs of continuing medical education conferences or professional meetings.
- Scholarships for medical students, residents and fellows to attend educational conferences, as long as selection is made by their academic institutions.
- Reasonable compensation and reimbursement of expenses sustained by consultants.
- Modest meals, usually in conjunction with educational programs. ■

DIRECTORY OF UPINS TO BE PUBLISHED BY HCFA

OBRA 1990 has a provision which requires the Secretary of Health and Human Services to publish a directory of Unique Physician Identification Numbers no later than March 31, 1991. This directory will include all physicians providing services for which payment is made under Medicare Part B and will include the names, provider numbers and billing addresses of all listed physicians.

Physicians should continue to use their carrier-assigned provider numbers until HCFA informs us that the UPIN number should be used in its place. In the November/December 1990 Medicare Part B Update on pages 18-19, an article explaining the UPIN and providing a form to obtain UPINs for other physicians can be found. When a date for UPIN usage is set by HCFA, FMA publication along with the Update will inform physicians. ■

GREETINGS FROM SAUDI ARABIA

Dr. and Mrs. Richard Schmidt send greetings from Saudi Arabia, and ask that you take a few minutes each day to visualize World Peace.

If you would like to send them a card or letter, write to: P.O. Box 11267, Dhahran, 31311, Saudi Arabia. ■

LCMS SPEAKERS BUREAU

The following list of physicians will be appearing on the noon news of WBBH-TV through February:

Jan. 25 Ed Salko, Jr., D.O.
Feb. 1 John Bruno, M.D.
Feb. 8 Doug Henricks, M.D.
Feb. 22 Lewis Chaikin, M.D.

R. Thad Goodwin, M.D., Chairman may be calling on you to participate in the future. We hope you can answer in the affirmative. ■

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VALUATION OF "ACCOUNTS RECEIVABLE/ INTER-DOCTOR FINANCIAL ARRANGEMENTS"

by The Health Care Group, Inc., Copyright 1991
Authors: Lell C. Beck, LL.B., C.P.B.C.,
and Paul W. Smith, C.P.B.C.

In reviewing a practice's buy-out contract recently, we found that, among other considerations, the group's "accounts receivable" were included in the purchase figure. But there was no explanation of the term. Did it mean everything owed by every patient, regardless of the account's age? Or did it call for reduction by what insurers will undoubtedly disallow? Was likely noncollection taken into account? This kind of ambiguity assures general uncertainty, if not outright conflict.

If accounts receivable are part of your buy-out arrangement, make sure your corporate or partnership agreement instructs how to calculate their amount. Here are three different approaches which may serve you well.

1. **Accounts valuation.** Some contracts define accounts receivable "as valued by the practice's regular certified public accountant based upon his or her uniformly applied estimate of collectibility as of the valuation date." While the estimate is arbitrarily made -- on the accounts' ages and/or debtor status (Medicare, Blue Shield, patient pay, etc.) -- an independent and presumably unbiased professional assumes responsibility for their fairness.

2. **Six-month activity test.** Some contracts refer to "all open accounts receivable having any activity within six months before the valuation date." This calls for running an adding machine or computer of all the accounts for which there has been either a service or a payment within the six-month period. It arbitrarily rejects all the older "inactive" accounts. The six-month activity approach has the advantage of being mechanical; it requires no estimates or other judgments. Rejecting 100% of the inactive accounts (some of which will undoubtedly be collected) may balance with including 100% of the active ones (some of which won't be collected) to give a reasonable figure. Sometimes the parties agree to multiply the resulting number by a stated percentage, perhaps 80% or 90%, to create the buy-out value.

3. **Collection percentage test.** Other contracts call for multiplying all accounts receivable by the practice's "gross collection ratio". We define accounts receivable as all open accounts having any activity within the preceding twelve months, and we carefully define the gross collection

ratio as well. It is the percentage formed by dividing the group's gross practice receipts for the previous twelve months by its total charges (gross billings) for the same period. While this approach sounds complicated, it is actually fairly simple, especially if you are on a decent computer billing system. It also has the advantage of mechanical calculation, without any question of interpretation or estimating. ■

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PLAN

The Supreme Court of Florida has accepted jurisdiction of the FMA case on appeal from the First District Court. Oral argument has been set for Wednesday, April 10, 1991 in the Supreme Court Chambers in Tallahassee. The FMA will, of course, comply with the Court's Order in respect to filing our brief and reply brief on the merits.

We are delighted with the Court's acceptance of jurisdiction since we had previously held out little chance of this occurring. It should be noted, however, that we appear to be already one judge down in that Justice Baskett dissented from the Order granting our appeal. In any event, this gives us one last and good shot before the Florida Supreme Court to address the issues that we have previously raised. ■



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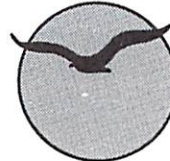


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