

LEE COUNTY MEDICAL SOCIETY

Bulletin



THE VOICE OF LEE COUNTY MEDICINE

VOLUME 18, NO. 8

Fort Myers, Florida
John W. Snead, M.D., Editor

December, 1994

LEE COUNTY MEDICAL SOCIETY

Invites You To A

HOLIDAY PARTY

Monday, December 12, 1994 at

THE VERANDA

2122 Second Street, Fort Myers

7:00 - 11:00 PM



Reservations must be received by 12/09/94

LCMS Physician Members NC / Spouse or Guest \$25.00

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SPIRIT OF SHARING HOLIDAY PARTY

As in past years, the LCMSA will continue the "Spirit of Sharing" by collecting your donations at the Annual Lee County Medical Society and Alliance Party. Selected as this year's recipients are ACT (Abuse Counseling and Treatment, Inc.) and the Children's Services Council.

ACT has asked for monetary contributions and non-violent toys for children of all ages. The money received will be used to provide counseling to children victimized by domestic violence. The goal of this program is to help these children learn to deal with life in a non-violent way. The toys will be distributed during ACT's own Holiday Party.

The Children's Services Council is asking for monetary donations. CSC will use their funds to provide needs assessments for children, continue the Shots for Tots Program and sponsor their annual Book Fair which provides books to children in our poorer neighborhoods. CSC also participates in the Children's Healthfair.

Please help to extend the joy and camaraderie of our Holiday Party to those in our community who are less fortunate. ♦

JOINT MEDICAL SOCIETY/ALLIANCE MEETING JANUARY 16, 1995

All members of both organizations bring your spouses and medical friends to the January 16th meeting of the Medical Society.

Robert McAfee, M.D., President of the American Medical Association will be the guest speaker. This is the first time we have had the privilege of the AMA President speak to our medical community. Dr. McAfee is a dynamic speaker and we hope to see you there.

JANUARY 16, 1995
ROYAL PALM YACHT CLUB
6:30 P.M. - SOCIAL TIME
7:00 P.M. DINNER
COST: \$18.60 FOR DINNER

PRESIDENT'S MESSAGE



STEVEN R. WEST, M.D.

now been replaced by reform-leaning Republicans.

Closer to home, there are now more physician-friendly legislators than before. The Florida Senate is now 21-19 in favor of the Republicans. Unfortunately, Governor Chiles and his Agency for Healthcare Administration, with his Director, Doug Cook, will remain in Tallahassee. Time will tell whether or not they still believe in bigger, more expensive government. We will have to study carefully their proposals to increase and expand healthcare subsidies to people who currently do not qualify for Medicare. This state will have to find a way to finance this proposed system of the Governor. The Governor will certainly be looking at physicians and hospitals as a potential revenue source. The Agency for Healthcare Administration certainly will continue its efforts to regulate and manage the practice of medicine creating a certificate of need program for physicians, practices and, of course, expanding the regulation for hospitals.

The past year has been one of adjustment for all of us from the concept of "fee for service" to "discounted fee for service" (PPO's). Soon we'll be dealing with capitation. We will be expected to provide quality, cost-effective care with emphasis on prevention, primary care and moving the patient from the hospital setting to an out-patient care setting. This emphasis will characterize our practice of medicine in the upcoming year.

The hospitals in Lee County have been busy organizing physicians both by buying physician practices and recruiting new physicians to practice in the hospital practices, as well as developing Physician Hospital Organizations (PHO's). The hospitals are all motivated by the realities of the market which places a premium on those who have a vertically integrated healthcare delivery system.

We have experienced, this year, greater competition in healthcare. We all must be more efficient and businesslike in our approach to the practice of medicine. Those among

Continued on Page 2

FROM: MANAGED CARE COMMITTEE

If you have information you would like to share with your colleagues on managed care, use this Bulletin space.

DON'T ASSUME CAPITATION TOO EARLY

When is it appropriate for your specialty to take full-risk capitation? One PHO executive sets parameters based on expected utilization.

The chart on page two comes from Doug Chaet, former CEO at the Atlanta PHO, Piedmont Healthcare Organization (300 docs, 75 PCPs). He suggests PHOs stagger subcapitation to specialists. For example, OB-GYNs can start sooner than cardiovascular/thoracic surgeons because there are more deliveries than CABGs.

TIP: You can accept subcapitation sooner if you're serving many Medicare patients, because of their higher utilization. "The accepted wisdom is that you can count Medicare patients at 4 to 1," says Carl Westerhoff, VP of corporate development, Downey (California) Community Hospital (207) beds. Example: You have 2,000 commercial lives and

Continued on Page 2

IN 1995, "ASK NOT WHAT THE AMA, FMA AND LEE COUNTY MEDICAL SOCIETY DOES FOR YOU,"
BUT ASK "WHAT CAN I DO FOR MY ORGANIZATIONS."

LEE COUNTY MEDICAL
SOCIETY BULLETIN3805 Fowler Street
Fort Myers, Florida 33901
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The Editors welcome contributions from the members. Opinions expressed in the BULLETIN are those of the individual authors and do not necessarily reflect policies of the Society.

PRESIDENT'S MESSAGE...Continued from Page 1

us who are not will have difficulties in the future. We have all suffered with Cape Coral Hospital as the hospital struggles to reorganize itself and recover from its own difficulties.

Physicians in our community have been slow to organize themselves into Independent Practice Associations or larger physician groups. This will remain a challenge for us over the next years to develop a physician-owned and operated organization. In other markets this approach has been most successful. This model is favored by most third-party payers because of the greater savings derived from a physician-directed organization compared to those run by the hospitals. We have begun to actively organize and develop the Florida Independent Practice Association.

We will also need to meet the challenges of being the patient advocate providing our patients with the best care and at the best price. We must be certain not to fail in our role to educate the public in matters important to their health and welfare. We need to be ready to warn them of those insurance companies, HMO's and providers who are not providing good value for their dollars. We must be willing to warn the public of those who are not providing quality care. Hopefully the Managed Care Committee Dr. Delans has organized can meet this goal.

With all these changes and forces at work, the next several years will be full of challenges for us all. Over the past year, it was my goal to help educate the medical community about the challenges facing medicine. Now I look forward to supporting Ron Delans as the new President of the Lee County Medical Society. ♦

CAPITATION...Continued from Page 1

2,000 Medicare lives; they equate to 10,000 lives, so anesthesiologists and psychiatrists can safely accept capitation. Now, see where you can start:

When to do capitation by specialty				
5,000 lives	10,000	15,000	20,000	25,000
• OB-GYN • Pathology • Radiology	• Anesthesiology • Psychiatry	• Dermatology • Emergency & Physical medicine • Ophthalmology • Orthopedics • Otolaryngology	• Allergy-Immunology • General Surgery	• Cardiology • Hematology/Oncology
35,000	45,000	55,000	65,000 or more	
• Gastroenterol. • Urology	• Endocrinology • Neurology	• Nephrology • Pulmonology • Rheumatology	• Cardiovascular/thoracic surgery • Colon/rectal surgery • Infectious diseases • Neonatology • Neurosurgery • Plastic surgery • Radiation oncology	

Reprint from *Physician Network Insider*, October 31, 1994 ♦

MANAGED CARE CONTRACT CHECKLIST

The following is a checklist physicians should follow before signing a managed care contract. This checklist was prepared by Jeffrey L. Cohen, Esq.

- Are the parties to the contract identifiable?
- What are your responsibilities under the contract?
- Are you required to abide by policies and documents you have not seen because they are not attached to the contract?
- Does the organization interfere with medical decision making?
- Does the agreement require you to indemnify or hold the organization harmless? Your insurance carrier may not cover you.
- Does the contract permit the organization to unilaterally amend the contract?
- What is the procedure for referrals? What are the consequences for improper referrals?
- How much of your practice will be wrapped up in this particular organization?
- What are the termination provisions? Do you really have just a 90 day contract? May you be terminated without cause?
- What input, if any, do you have in peer review, utilization management, etc.?
- What other physicians, hospitals, etc., are available to your patients?
- Is the organization in good financial shape?
- What are the provisions regarding medical records, particularly upon termination or expiration?
- What copayments, coordination of benefits and other financial responsibilities do you have under the agreement?
- Can you get out if the organization does not fulfill its obligations?
- Will the contract increase profits?
- Does the contract require "active staff" hospital membership?
- Have you been told the contract is non-negotiable? Most are negotiable.

This is not an all-inclusive list. There are always specific issues which must be addressed in any given circumstance. ♦

THE
QUESTION
MAN

OPINIONS - EDITORIALS
LETTERS TO THE EDITOR
John W. Snead, M.D.

'WHAT CHANGE SHOULD THE PUBLIC HEALTH DEPARTMENT ANTICIPATE WITH THE COMING OF A NEW UNIVERSITY TO OUR AREA?'



Roger N. Holt,
M.D.
(Pediatrician)

"The Health Department will likely have more requests for adolescent and young adult services including gynecology and family planning."



Ernest Feigenbaum,
M.D., M.P.H.
(Deputy District
Administrator
for Health)

"With the opening of the new University, we anticipate a significant demand for many types of basic and advanced health career training that have not previously been accessible to health professionals in Southwest Florida. Because so many health workers cannot interrupt

their employment for hours of travel or extended periods of schooling, the local availability of training (hopefully with evening and Saturday classes) will serve to benefit the community by ensuring an up-to-date, well trained cadre of health service professionals. The opportunity for teaching affiliations with staff of our public health facilities will serve to join the University with practical field experience in the health care realities of our region.

The following response for the question listed below came in to "The Question Man" following publication of last month's issue.

"ARE YOU BECOMING MORE CONFIDENT OR MORE PESSIMISTIC ABOUT THE FUTURE FOR MEDICINE AND DOCTORS?"



Stephen R. Zellner,
M.D.
(Internal Medicine/
Infectious Diseases)

"People will forever become patients and physicians will always be there to care for them. Medicine will survive, the structure is rapidly changing."

NEXT MONTH'S QUESTION
'WHAT IS GOING TO HAPPEN TO HEALTHCARE REFORM IN FLORIDA NOW?'

Send your comments to the Medical Society. Bulletin deadline is the 15th of each month...we want to see you in the print media! ♦



Happy Holidays
from the Board
of Governors
and your office staff
at the Lee County
Medical Society

MEDICAL BOOKMARK

Narges Ahmadi, Medical Librarian

The new month added the new book to the collection of works by "our own" authors. After John Skalko's *Reengineering Health Care*, which was donated to the library in October, the very timely and relevant publication by Shirlee Passau-Buck, PhD titled

Male Ordered Health Care:
The Inequities of Women

was added to the collection. The book, which the author wrote with her husband, the accomplished journalist Edward Magruder Jones, addresses two hottest issues of the day: crises in health care and women's health.

The 1994 edition of *Dorland's Illustrated Medical Dictionary* is now available for reference in the main library at Cleveland, and new titles of medical texts were added to the circulation collection:

Essentials of Family Practice, ed. by Robert E. Rakel, 1993.

The Medical Management of AIDS, 4th edition by M.A. Sande, 1995.

Psychiatric Disorders in Children and Adolescents, ed. by B.D. Garfinkel.

Textbook of AIDS Medicine, by Samuel Broder, 1994.

The Unborn Patient: Prenatal Diagnosis and Treatment, ed. by M.R. Harrison.

The new audio-recording is available for circulation:

The Biology and Treatment of Depression, by G. Tollefson & A. Schatzberg.

and the following NCME video programs:

Diabetes Management: A Clinical Update.

Risk Management in Emergency Medicine

/ Topics in Dermatology: Alpha-Hydroxy Acids and Chemical Rejuvenation / Micrografts and Slit Grafts in Hair Transplantation.

Barrett's Esophagus: A Multistage Model of Human Carcinogenesis.

TIPS: An Alternative Therapy for Variceal Bleeding / Oral Contraceptives in Primary Care.

When finished with this issue...

Pass it on
to staff!

TO: _____ INITIALS: _____

10 COMMONLY ASKED LEGAL QUESTIONS

Printed below are the ten most commonly asked questions of the FMA Legal Department. For more information call the FMA Legal Hotline at (904) 356-0056.

- How long am I required to keep medical records?**
According to F.A.C. 61F6-26, five years. We recommend seven years (the maximum statute of limitations for malpractice).
- Must I provide copies of medical records upon request of a patient?**
Yes. However, you may charge \$1 for each of the first 25 pages and 25 cents for each page thereafter.
- May I treat a minor without parental consent?**
Only if you are treating a minor for sexually transmitted disease, pregnancy, emergency care, mental health or alcohol/drug abuse.
- How do I terminate the physician/patient relationship?**
You should send a certified letter informing the patient you will no longer be available to treat him. You must give the patient a reasonable amount of time to obtain care from another physician and be available to treat the patient in the interim. No reason must be given for the termination.
- Must I comply with a subpoena?**
Yes. However, you should inform the patient that you will be releasing their medical records by a certain date, unless they provide a court order. If the subpoena is for "super confidential" records, a court order must be provided.
- Must I supply an interpreter at the request of a deaf patient?**
According to the Americans with Disabilities Act, yes. However, you may write-off the expense on your taxes.
- May I charge interest on an unpaid bill?**
Yes, but not more than 12% interest per year. The patient should be notified prior to interest being assessed and the AMA ethical guidelines urges exceptions for hardship cases.
- What should I do when I close my practice?**
At least 30 days prior to closing, you must place a sign in your office stating you will be closing and where patients may obtain medical records. You must also publish in the newspaper with the largest circulation in counties where you practiced a notice of termination and where medical records may be obtained. (Editors note: It is also helpful to inform the DCMS office of this information!)
- What may I charge for a deposition or expert witness fee?**
Generally, there is no set rate. You may charge whatever is reasonable and customary in the area you practice. We suggest you obtain your fee in writing from the attorney and request a portion to be prepaid. For Workers' Compensation, the rate is \$200/hour for those physicians who have actually treated the patient, \$200 per day for others.
- Must I sign all progress notes?**
Although state law does not explicitly require that physicians sign (or initial) all progress notes, Medicare, Medicaid, and virtually all HMOs require such documentation as a prerequisite to reimbursement.

MAGIC KINGDOM DISCOUNT CARDS

The Medical Society has discount cards to Disney World available in our office. This card can be obtained by you, your family and your staff. Call the Society Office at 936-1645. The card offers a discount of 10% on many items. Become a member of the Magic Kingdom Club. ♦

NEW MEMBER APPLICANTS

Application for Membership

Active members are requested to express to the Committee on Ethical & Judicial Affairs or Board of Governors any information or opinions they may have concerning the eligibility of the applicants.



PIEADADE OLIVEIRA-SILVA, M.D. - PEDIATRICS

Dr. Piedad Oliveira-Silva was born in Portugal. Medical School: Brown University, Providence, RI (1982); Internship & Residency: David Grant USAF Medical Center, Travis Air Force Base, CA; Military Service Branch: Major, U.S. Air Force (7/82-8/89). Dr. Oliveira-Silva is practicing medicine with Associates in Pediatrics, 1555 Matthew Drive, Fort Myers and 3632 Del Prado Blvd., Cape Coral.

ZIAD SHAHLA, M.D. - Internal Medicine

Dr. Shahlah was born in Homs, Syria. Medical School: Damascus University, Damascus, Syria (1988); Residency and Internship: Lutheran General Hospital, Park Ridge, Illinois (1991-1994). Dr. Shahlah is Board Certified in Internal Medicine. Dr. Shahlah is practicing Internal Medicine at 18911 South Tamiami Trail #13, Fort Myers, FL 33908.



RAMPAL G. SINGH, M.D. - CARDIOLOGY

Dr. Rampaul Singh was born in India. College: Brown University (1983); Medical School: Baylor College of Medicine, Houston, TX (1987); Internship & Residency: New York Hospital/Cornell Medical Center, New York (7/87-7/90); Assistant Chief Medical Resident: Memorial Sloan-Kettering Cancer Center (1/90-3/90); Fellow: Cardiology, The New York Hospital/Cornell Medical Center (7/90-7/93); Interventional Cardiology/Instructor in Medicine/Assistant Attending Physician, The New York Hospital/Cornell Medical Center (7/93-6/94). Board Certifications: Internal Medicine (1990); Cardiovascular Disease (1993). Dr. Singh is an Associate with Heart Associates of Southwest Florida, 1390 Royal Palm Square Blvd., Fort Myers.



GEORGE L. RADA, M.D. - PEDIATRICS

Dr. George Rada was born in Elizabeth, NJ. Medical School: Pecs Medical University, Pecs Hungary 1990; Internship: UMDNJ, 10/91-6/92; Residency: All Children's Hospital, St. Petersburg, FL. Dr. Rada is an Associate of Gulf Shore Pediatrics, 6120 Winkler Road.

MICHAEL PHILLIP GROSS, M.D. - PLASTIC SURGEON
(Maxillo-Facial & Hand Surgery)

Michael P. Gross, M.D. was born in Cleveland, Ohio. Medical School: The Ohio State University, Columbus, OH (1981-1985); Internship: University of Maryland, Baltimore, MD (7/85-7/86); Residencies: Saint Luke's Hospital, Cleveland, OH (7/86-7/90); Wright State University - Kettering Hospital, Dayton, OH (7/90-7/92). He is Board Eligible - American Board of Plastic Surgery. Dr. Gross is practicing Solo - Plastic Surgery Center of SW Florida at 1530 Lee Blvd., Suite 2200, Lehigh Acres, FL.



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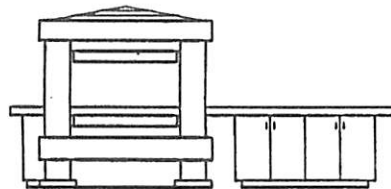
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LEE COUNTY MEDICAL SOCIETY
ALLIANCE NEWS

Respectfully submitted by Jackie Sharkey, Corresponding Secretary

LEGISLATIVE BREAKFAST

Alliance members gathered at the home of Dr. and Mrs. Michael Sweeney on October 17th to welcome area legislators to the Alliance General Meeting. Visiting legislators included:

- Senator Fred Dudley
- Representative Keith Arnold
- David Blutworth
- James Newton
- Several legislative Aides

Special guest Caryn Craddick, Field Office Director for the FMA West Coast Area, also attended.

Those attending the breakfast enjoyed the opportunity to express their questions and concern with their representatives.

The morning proved very informative and enjoyable for everyone. ♦

CHARITY BALL PRESENTATION

The LCMS Alliance 11th Annual Charity Ball proceeds totaled \$47,358.07. The Ronald McDonald House received \$33,150.65 and \$14,207.42 was awarded to the mini-grant program, sponsored by the Alliance. ♦

"SOMEONE TO TALK TO" PUPPET SHOW

For eleven years the LCMS Alliance has been presenting "Someone To Talk To," a puppet show presentation depicting different abuse and neglect situations. This puppet show is aimed at 1st graders and is designed to let them know that there is always someone to talk to.

We have received approval from the school board for the 1994/1995 school year and the puppet show now services all Lee County elementary schools and interested private schools. ♦

We are pleased to announce that we have received an initial rating of "A-" Excellent from A.M. Best



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