

# LEE COUNTY MEDICAL SOCIETY

# Bulletin



THE VOICE OF LEE COUNTY MEDICINE

VOLUME 28, NO.3

FORT MYERS, FLORIDA  
JOHN SNEAD, M.D.

MAY 2004

## NEXT GENERAL MEETING

THURSDAY MAY 20, 2004

6:30 p.m. - Social Time  
7:00 p.m. - Dinner/Program  
at the  
Royal Palm Yacht Club  
2360 West First Street  
Downtown Fort Myers

Speaker: Rudolph Kotula, M.D.

Topic: "Travel Medicine"

## Reservations:

LCMS, P.O. Box 60041  
Fort Myers, FL 33906-0041  
Tel - 936-1645 Fax - 936-0533

## Mark your Calendars

9TH ANNUAL LEGAL-MEDICAL  
CHALLENGE CUP  
"The Battle of the Professions"

Note Date Change: Saturday, May 15, 2004

Renaissance Country Club  
12801 Renaissance Way  
Fort Myers, FL 33912  
(Off Daniels, near I-75)  
\$190.00 Per Team



## LEGAL/MEDICAL TENNIS TOURNAMENT

Saturday, May 22, 2004  
The Oasis Tennis Club  
4056 Princeton Street  
Ft. Myers, FL 33901

\$30 per person

## Inserts

- 1 MAY GENERAL MEETING NOTICE
- 2 GOLF TOURNAMENT FLYER
- 3 TENNIS TOURNAMENT FLYER

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## President's Message

### STATE OF THE STATE'S MEDICINE

Douglas Stevens, M.D.



More than 800 physicians took to the streets of Tallahassee to keep tort reform at the forefront of the legislators' minds. Despite the number of physicians limiting their practices or retiring, it appears unlikely that the issue will be addressed during the current legislative session. To his credit, Johnnie Byrd, Speaker of the House, is trying to get some real resolution to the malpractice crises but politics and, frankly, fatigue from last year's triple special sessions will keep others from expending their efforts and political capital on medical tort issues this year.

In the face of the realities we see every day, it would be unethical to sit back and wait for the gridlocked legislators to fix this dilemma. We must pursue other avenues to protect access to medical services in this state. The only real option is the proposed Amendment. I agree that this is a poor way to run a state, but there is no other choice at this time but to sit back and wait until the medical system collapses under the weight of the current malpractice environment in this state.

The FMA's proposed amendment has caused considerable unrest, especially on the part of the Florida Trial Association. As most of you know, they have threatened the business community and organizations with their wrath should they consider joining us. To date the business community has capitulated to this blackmail.

The trial attorneys have proposed three of their own amendments. These amendments are intended to intimidate us, however, they really only serve to show how out of touch with our realities this subgroup of attorneys really are.

The first amendment they propose states that a physician will not charge anymore than their lowest accepted rate to any patient. I believe this is a wonderful tool, if passed, to force all of us to reconsider our expenses, calculate a bottom line price that ensures profitability and then refuse to treat anyone that does not meet that minimum rate. After all, if this amendment passes, it would be against the law to do anything else! Goodbye to Florida Medicaid (Perhaps this will break the gridlock in Tallahassee). Goodbye to managed care plans who insult us with their 70% and 80% of Medicare rates. Goodbye to the ERs with their mandatory coverage of no-pay patients. Surely by this law, if I accept no-pay patients then, technically, I would never be able to charge for any of my services. It would be against the law. This shows how absurd this proposed amendment really is and how its strict interpretation, if it passes, would lead to the complete breakdown of medical services.

The second amendment proposed by the trial attorneys is that if a physician has three malpractice judgments against him/her, then they lose their Florida license. We should insist on the corollary to this, that if a lawyer loses three malpractice cases he prosecutes he should lose his license. Fair is fair after all. But let's leave that for another day. If this amendment is passed then the vacancies in OB, neurosurgery and other high-risk specialties will greatly worsen. The relationship between the current circus called malpractice in this state and real negligence is slim at best, despite the For the People ads we see. Further, this amendment will result in a rapid increase in the restrictions by physicians on what procedures they will consider undertaking as they consider the low reward and high risk that they represent. As one orthopedic surgeon put it, "It is amazing to me how little what I do is worth when it goes right and how much it's worth when it goes wrong."

The third amendment would open up doctors' records, by requiring them to make public all medical incidents resulting in injury or death. It is just as absurd as the first two and is not worthy of further discussion right now.

Now let's talk about how the trial attorneys are leveraging these amendments. First they have hired every firm in the state that commercially delivers signatures to put constitutional amendments on the ballot in an attempt to keep them from being at our disposal. The problem for them is that almost every patient understands our cause and is willing to sign our petition without being coerced or paid to do so. We must only exercise this advantage and ask. Please send signed petitions to the county medical society office. Second, the trial attorney organization requested a meeting with our FMA president. When he learned that they were only there to offer a mutual ceasefire (you drop your one amendment and we'll drop our three), Dr. Lenz cancelled the meeting. They are, for the first time, worried that we may finally level the playing field. Again, we must press our advantage - a just cause and the growing understanding of the public that access to medical care in Florida is rapidly evaporating.

If we do not fight for fair compensation to patients harmed by malpractice, if we do not fight to keep our profession a viable career option for future generations, if we do not fight to maintain access to medical care in this state then we will have failed without even trying in one of the most important issues of our professional lives. Now is the time to do this. We have the right leadership and the right issue. Please, get those petitions in so we can take this to the people.

## LEE COUNTY MEDICAL SOCIETY HONORS LIFE MEMBERS



Dr. Michael Lowrey was honored at the Lee County Medical Society meeting. Dr. Michael Lowrey has been a member of the Lee County Medical Society and the Florida Medical Association for over 35 years. We would like to thank Dr. Lowrey for his continued, long-lasting support.

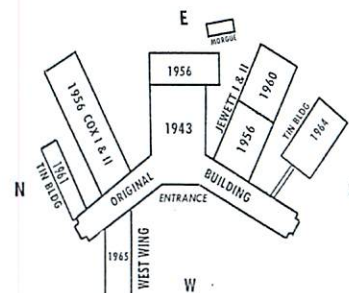
## As I Recall...

Roger D. Scott, M.D.

LEE MEMORIAL HOSPITAL

1943-1968 PART IV 1954

Scott Rendition



This hospital as previously stated was built in a two-story brick short tailed "Y" shape and with only thirty rooms; it was becoming quite overcrowded by 1954. Fort Myers and Lee County were slowly but definitely growing with a population around 33,000 persons (incidentally Lee County population doubled from 1950 to 1960). A committee was formed of too-many-to-list here prominent citizens to formulate plans and financing for needed major additions. Connie Mack Jr. was the General Chairman of the committee and published a brochure with photos, plans, and information regarding the "Modernization and Expansion Fund Campaign 1954" with the motto "More Care for More People". It is from this fifteen page detailed document that much of the following information is obtained with my special comments in italics.

Interestingly, Bill Frizzell who was the architect for this expansion employed George Bail, son of the original architect. The additions were to be two new two-story brick wings (thereafter known as Cox I & II and Jewett I & II with I & II referring to first & second floors) extending from West to East & attached to the original building. Additionally there was to be some extension of the "Y" tail. *This is drawn incorrectly on the plans that I have for 1954. I was here for the completion of Jewett in 1959 or 60. The Hill - Burton Act had been passed in Congress to allow for federal matching funds for new hospital construction & improvement and this made the additions possible. (Incidentally, my father was very influential in the establishment of the Hill-Burton Act, and the Suwannee County Hospital in Live Oak FL was the first hospital built under this act.)*

Some interesting construction features were: "Nurses call from patients bedside to nurse's station. Telephones available in private rooms. The nurseries will have windows for viewing of babies by visitors from the corridor. Rooms and wards will have connecting toilet facilities. Utility rooms with modern bedpan cleaning facilities. New surgical and obstetrical suites will be equipped with conductive flooring, explosion proof electrical fixtures. Both suites will be air-conditioned for comfort and to reduce danger of infection. No other hospital areas were air-conditioned at this time.

Continued on page 2

LEE COUNTY MEDICAL SOCIETY  
BULLETIN

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

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

## PRINTERS

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## LCMS ALLIANCE AND FOUNDATION NEWS

Submitted by Ann Shah and Karma Marino



The official kick-off celebration for the Foundation's new initiative, called "Stride Right: A Fitness for Life Program," was held at Diplomat Elementary School in Cape Coral on March 29. Mr. Deke, a popular local fitness instructor, led students in a low-impact fun-filled workout while Linda See, Assistant Principal, explained the components of "Stride Right" to the school.

The six-week program incorporates several elements key to maintaining a healthy lifestyle, including daily exercise, nutrition education and wholesome snacks. The goal is to prevent childhood obesity by encouraging regular physical activity and healthy eating habits in both children and adults.

As part of "Stride Right," a fitness program has been initiated in the school's PE classes, with continued participation at home to encourage family involvement. The Florida Coca-Cola Bottling Company has donated 1,000 pedometers, enough so every student can count their steps during the school day. Each week students also record the number of minutes they engage in various physical activities outside of school, such as walking, sports, dance, etc., with an adult's supervision.

Those reporting at least 15 minutes of activity every day receive a reward each Friday. At the end of the program, students in each grade who log the most minutes will receive additional prizes. For example, an art contest is being held to design a logo for the program that will be printed on t-shirts given to the most active students.

In addition, during the daily morning announcements, students are shown a short video clip from the "What's on Your Plate with Willie Munchright" nutrition education program, provided by the McDonald's Corporation. Willie Munchright is a fun-loving, purple clay animation kid who uses exciting adventures and memorable rhymes, like "So why be shy? Give new foods a try," to help encourage balanced eating habits. Each message is then incorporated into the lesson plan for that day.

Finally, through the sponsorship of Coca-Cola, Wolfers Produce Company, Frito Lay and Peppidge Farms, and a generous donation from Publix Super Markets Charities, all students are also being provided with healthy snacks every Friday. The aim is to illustrate different types of nutritious foods, and to stress their importance in providing the energy needed to concentrate on academic tasks and to participate in extracurricular activities.

So far, "Stride Right" has received tremendous attention and support from the community, and has been well received by both teachers and students at Diplomat Elementary. Our hope is to implement "Stride Right" at other Lee County schools next year. Good preventive medicine for childhood obesity involves instilling healthy lifestyles at an early age.

AMERICAN MEDICAL ASSOCIATION, CENTERS FOR  
MEDICARE AND MEDICAID SERVICES URGE PHYSICIANS  
TO ORDER VACCINE

To ensure the availability of influenza vaccine for administration early this fall, the AMA recommends that physicians and providers order supplies of influenza vaccine immediately. In 2003, large numbers of cases of influenza began to appear in October, and activity was widespread. Anticipation of increased demand for vaccine in fall 2004 makes it imperative that physicians and providers who care for Medicare beneficiaries and others at high risk for complications from influenza prepare for the 2004-05 influenza season immediately.

According to the Centers for Medicare and Medicaid Services (CMS), while the recently enacted Medicare Prescription Drug, Improvement and Modernization Act of 2003 changed the Medicare payments for many covered drugs and biologicals, the basis for Medicare payment of influenza vaccine will continue to be 95 percent of the average wholesale price.

Each year, the AMA convenes public health experts from around the country in its National Influenza Summit. The Summit includes discussion on vaccine production, recommendations for vaccination and general influenza prevention. This year's conference takes place April 13-14 -- stay tuned to <http://www.ama-assn.org> for coverage of this event.

## CONSTITUTIONAL AMENDMENT PETITION UPDATE

As of April 12, 2004 we have collected 12,010 petitions. Now is the time to push forward and increase our efforts in our collection of petitions. We would like to thank all physicians who have put forth an effort to collect petitions. A few physicians have collected over 100 petitions. But a few physicians doing above their share cannot compensate for the hundreds who have not.

Download a copy of the petition or the "Help Patients! Cap Lawyer Fees" posters on the Citizens for a Fair Share Web site at [www.citizensforfairshare.org](http://www.citizensforfairshare.org).

## TIPS FOR A VALID PETITION:

- Legibly print the appropriate information for each line. Don't forget to mark the box at the bottom -- "Is this an address change?"
- You must be a Florida registered voter
- The signature on the petition must match the name as listed on the voter ID card.
- Petitions must be sent to the Lee County Medical Society, P.O. Box 60041, Fort Myers, FL 33906 as soon as possible.

Petitions are available at the Medical Society office, 100 good petitions per doctor are needed to complete this initiative.

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Fort Myers, Florida

## "ODDS AND ENDS"

## FPIC President Speaks To FMA Board Of Governors

The FMA Board of Governors met on Saturday, March 27, and one of the highlights was the very informative testimony by our long-time and good friend, Robert White, President of the First Professionals Insurance Company. Mr. White gave an in-depth explanation of the causes of the escalating medical liability insurance premiums and presented clear and convincing data that shows that the lion's share of the severe increases is due to more frequent and higher payouts. He again told of the forceful and direct threats that the Plaintiff Attorneys directed at the insurance industry if they were to support our Amendment. Specifically, the trial bar threatened to pass an amendment to reverse their antitrust exemption and other amendments. He very clearly and distinctly stated "Anyone who says that I said that there was no benefit in a \$250,000 cap on non-economic damages is a liar." He also reiterated the statement he previously made to FMA leaders that a cap on attorney's contingency fees would have a significant impact in reducing the frequency and severity of medical liability claims. "The amendment will produce a bigger savings to physicians than the \$250,000 cap."

## Web MD Assistance

WebMD has made an offer to work with state medical associations on requests for information or assistance on WebMD/Envoy related issues requiring resolution outside of the current support protocol. If you are having any problems with WebMD/Envoy and need assistance in resolving your issues, please contact Glenda Henderson at the Florida Medical Association at 800.762.0233, or via e-mail at [ghenderson@medone.org](mailto:ghenderson@medone.org).

Legislative Bulletin Available For Weekend of March 29-  
April 2

The FMA continued its legislative efforts this week as Session brings hot issues to the forefront. The Legislative Bulletin for the week of March 29 - April 2, is now available on the FMA Web site at [www.fmaonline.org](http://www.fmaonline.org). This week, the FMA was involved with many issues, including the Naturopath bill, HB 1375 by Representative Bowen. HB 1375 will be up in the House Health Care Committee on Thursday, April 15. The FMA is strongly opposed to this bill as it will allow naturopaths to be licensed in Florida once again. See the full bulletin by going to <http://www.fmaonline.org/legis/legbull040204.html>.

People For A Better Florida Takes To The Airwaves On  
Medical Liability Reform

People for a Better Florida (PBF), the issue advocacy organization, recently launched a radio ad campaign in six media markets on the issue of medical liability reform. The radio ad discusses the background of Republican U.S. Senate candidate Mel Martinez and alerts the public of his position opposing President Bush on medical liability reform. The ad points out that Martinez is a Past President of the Academy of Florida Trial Lawyers and has personally contributed thousands of dollars to Democrat candidates who oppose medical liability reform.

## As I Recall.... Cont.

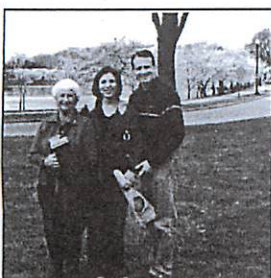
Ample isolation rooms are provided to care for noisy cases and patients who may develop symptoms of contagious diseases." Other less significant features were planned.

Several pages are devoted to conclusions & recommendations. "Financing can be accomplished from the Cox estate of \$135,000, funds on hand \$65,000, Federal funds \$180,000, and to be raised by subscription \$250,000 to meet the required \$630,000".

The medical staff was previously listed consisted of Doctors Barry, Bartleson, Bradley, James Carver, Fagan Jr., Girardin, Angus & William Grace, Warren Harrison, Hopkins, House, Jones Sr., Merrick, Selden, John S. Stewart (Radiologist), Stipe, Vinson, and Whisnant. Staff members from Naples were: Ethel & Reider Trygstad, James Craig, & John Meli. The dentists of the community were also included in the dental staff: Doctors Dehon, Ganey, Walter Grace, L. Jones, Abbott Kagan, Lewis, Needham, & Zimmerman.

Part V will herald the arrival of John Gadd, new hospital administrator in 1955 and the beginning of true modernization of Lee Memorial. Comments & corrections welcomed.

If you have a new partner coming to your practice, please call The Society office for an application at: 936-1645.



Ann Wilke, Cherrie Morris, M.D. and Richard Murray, M.D., attended the AMA's National Advocacy Conference in Washington, D.C. in the midst of cherry blossom season.

**AMA PRESIDENTS' FORUM AND NATIONAL ADVOCACY  
CONFERENCE**

*Rick Lentz, M.D., FMA President*

An unexpected but greatly appreciated benefit of being your Florida Medical Association President was to be in Washington, D.C., last week when the cherry trees bloomed. They were absolutely gorgeous and were everywhere. Apparently they were given to the United States as a gift from Japan many years ago. It seems that you cannot plan on being there when they bloom because their blooming cannot be exactly predicted during a six-week period, and they usually only last a few days. I was there attending the AMA Presidents' Forum and later the AMA National Advocacy Conference.

As I reported last week, I was pleased to have the opportunity to make a presentation at the Presidents' Forum about the FMA's efforts to pass a constitutional amendment to limit plaintiff attorneys' contingency fees. It was extremely heartening to have such a wonderful response from so many leaders from around the country. They kept coming up and offering their help in raising funds. We will be coordinating a plan to allow physicians and others from around the country to make contributions to Citizens for a Fair Share. It was indeed a treat to hear Dr. Donald Palmisano, AMA President, on the liability crisis.

He was followed by Philip K. Howard, J.D., Founder and Chairman of Common Good, author of "The Death of Common Sense: How Law is Suffocating America" and "The Collapse of the Common Good: How America's Lawsuit Culture Undermines Our Freedom." Mr. Howard said that Federal legislation should be passed which would require every state to set up medical liability courts where the judges would be trained to understand the issues in the practice of medicine, and that special physician experts would review the cases and determine if there was any physician liability for the patient's injury or losses.

Barry M. Manuel, M.D., Associate Dean, Professor of Surgery, Boston University School of Medicine, Chairman, ProMutual Medicine Professional Insurance Company and Chairman, Professional Liability Foundation, then addressed us. His proposal was to set up a system of compensation for injured patients on a no-fault basis. We also heard political updates from Ron Faucheux, Ph.D., a nationally recognized political analyst, author and university professor, and many of the AMA staff experts.

The National Advocacy Conference was held Monday and Tuesday, and we heard a debate between Jeanne Shaheen, former Democratic Governor of New Hampshire and National Chair of John Kerry's Presidential Campaign, and Rep. Thomas M. Davis (R-Va), Immediate Past Chairman of the National Republican Congressional Committee. While the debate between Gov. Shaheen and Rep. Davis was pretty much a war, some real heroes treated us to an incredible presentation. Moderated by Lt. General James Peake, M.D., Surgeon General U.S. Army, we heard the true and astonishing stories of the spectacular achievements of the doctors, nurses and the support teams from the doctors who were at the Tip of the Spear in Iraq. They told us how they treated and evacuated our men and women who paid the price of the War of Iraqi Freedom. If it is possible, they were given a silent standing ovation.

Hopefully, the enthusiastic and charismatic approach that Mark McClellan, M.D., Ph.D., the new Secretary of CMS (Medicare), is taking will lead to a greater understanding of the complexities that we doctors in the field are facing. We were treated to a speech that was full of hope and understanding. He seems to bring a new life to an old bureaucracy.

One of the most powerful presentations came from an immigrant, who came to this country with his physician wife with less than \$300 dollars in his pocket. It seems before being named the new Director of the National Institutes of Health, Dr. Elias A. Zerhouni, was an interventional radiologist, invented numerous machines, filed five patents, and wrote untold chapters and several books. What a vision he has for the NIH. He took us from the world of molecular research to the integration of the local physicians into true field research. NIH, a precious American treasure, is in the best of hands.

We also heard from Senator Bill Frist, who when introduced as Senator, Doctor Bill Frist, said that he thought it would be better to be Doctor, Senator Bill Frist. Rep. Steny Hoyer (D-Maryland), Rep. Pete Sessions (R-Texas) and Rep. Joe Barton (R-Texas) spoke to us of the Congressional Health Agenda for the 108th Congress.

On Wednesday, Drs. Bob Cline, Dennis Agliano, Coy Irvin, Stuart Himmelstein, Mathis Becker, Jeff Gonzalez and myself, along with Tenna Wiles, Jennifer LaPlante and Russ Jackson, charged Capitol Hill and lobbied 10 congressional offices. We were very ably accompanied by Margaret Carvin, Peggy Tighe, and Joy Trimmer of the AMA staff.

I got home late Wednesday and had the distinct privilege to go back into the operating room and actually be a physician on Thursday, Friday and Saturday. It was such a treat after being away for so many days. Sadly, with all the pressures and assaults on our profession, it is easy to forget what a wonderful gift we have to be able to care for and operate on patients who have come to us for help and understanding. We are the luckiest people in the world working in the greatest health care system known to man. When I come home and realize again what a wonderful opportunity I have been given, I understand what an incredible responsibility we have to preserve the profession of medicine. It is our job to do whatever it takes to see to it that the future generations of doctors and patients are afforded this same blessing.

This makes passing our FMA constitutional amendment ever so much more important. Now that we have collected more than half the required signatures, let us go forth with enthusiasm and a spirit of hope to finish the job. We all need to rededicate ourselves to collecting signatures, raising funds and gathering supporters of our cause. If you have any signed petitions, please forward them to your county medical society as soon as possible.

While the science of medicine will drastically change over the ensuing year, the role of the healer and the sacred doctor-patient relationship must always be preserved.

**RALLY AT THE CAPITOL A HUGE SUCCESS!**

The Rally at the Capitol was a huge success! Hundreds of physicians were on hand to show our Governor and the legislators that we are serious about tort reform. Our message rang clear at the Capitol – the health care climate in Florida must change and physicians are here to fight the battle.

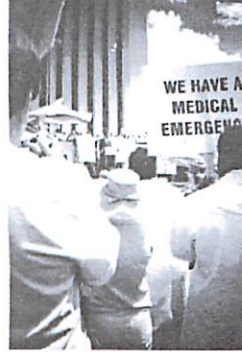
Please thank Governor Jeb Bush and House Speaker Johnnie Byrd for their continued support in helping to provide access to quality health care. With their staunch support during the Legislative Session in 2004, we are sure to make progress in reforming the tort system in Florida. The House passed the attorney advertising bill. This would prohibit attorneys from soliciting through advertising to institute legal action that relates to medical negligence.

Other guests at the Rally included Dr. Donald Palmisano, President of the American Medical Association; Dr. Ronald R. Burns, President of the Florida Osteopathic Medical Association; Florida Senators J.D. Alexander and Mike Haridopolos; Florida Representatives Allan Bense, Kim Berfield, Gaston Cantens, Mike Davis, Gayle Harrell, Ed Homan, and Don Sullivan; and Department of Health Secretary Dr. John Agwunobi.

As Dr. Lentz stated during the Rally – we must continue to collect the necessary signatures and contribute to Citizens for a Fair Share. Without your help, we will not be able to get this issue on the November ballot. We are halfway there – with everyone doing his or her fair share, we will succeed.



Physicians from Lee and Collier were represented at the Capitol, pictured left to right: Collier President David Spellberg, M.D., and Collier Past President and FMA Board of Governors member, Corey Howard, M.D., Lee Member Michael Fletcher, M.D., and Lee President Douglas Stevens, M.D.



Hundreds rallied in Tallahassee to have their voices heard on the subject of malpractice rates.



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**ENHANCE YOUR COMPANY'S TREASURY EFFICIENCY***By Melissa C. Blair, CTP*

The banking industry has experienced many changes over the past few decades. Mergers, regulatory changes and new technology will continue to affect the banking industry in the future. How will your company deal with the cash flow and administrative impact of these changes? Is your bank equipped to deal with new technological enhancements? These are important questions to address in order to prepare for your company's financial future.

There are many bank services that your company can utilize today that will help streamline your treasury management operation and improve your efficiency. Many of these services will continue to evolve as new legislation is passed affecting the banking industry. Why not begin utilizing these services today to prepare for future industry growth? One of the most essential pieces of the treasury management process is the ability to obtain information. Without information, it is difficult (if not impossible) to forecast cash flow, prepare budgets, and manage your collection and disbursement processes. The Internet has revolutionized the way banks provide account information to its customers. With a bank's online system, account information is available at a treasurer's fingertips 24/7, from any computer with Internet access.

In addition to obtaining balance and transaction information, most banks' online products support the initiation of electronic payments. Bill payments, wire transfers and Automated Clearing House (ACH) transactions are all available. In most cases, electronic transactions cost much less to process than paper-based transactions.

An important benefit of initiating electronic transactions is controlling when an invoice is paid or when a receivable is collected. Electronic originations allow you to determine transaction effective dates, thus enhancing your ability to manage your cash position. Direct deposit, vendor payments, client drafts and tax payments are common examples of electronic transactions.

Another way to improve your company's efficiency is through your account reconciliation process. Did you know that you can receive images of your checks and in some cases, deposited items, through a CD-ROM Imaging service? Rather than sorting through boxes of paper checks or calling your bank when you need a check copy, you can simply load a CD to access check information immediately. With upcoming legislative changes to the way banks can present checks through the clearing system, a CD-ROM Imaging service is a smart way to keep records at your fingertips.

Along with CD-ROM Imaging, most banks offer several Account Reconciliation Plans (ARPs) to assist commercial clients with their bank reconciliation. These plans range from simply sorting paid checks by serial number, to Positive Pay where you can proactively decide which checks post to your account. With Positive Pay, a commercial client sends the bank a check issue file whenever checks are issued on an account. As checks are presented for payment, the bank compares them against the cumulative issue file looking for any discrepancies. If a check matches the issue information provided by the client, the bank will pay the check. If a check doesn't match, the client is notified and can instruct the bank to return it. Positive Pay is a great tool to combat fraud, in addition to assisting in the reconciliation process.

A Deposit Reconciliation Plan (DRP) is another example of an ARP. If you have multiple locations or need to track deposits for multiple purposes, DRP can ease your administrative burden. Your deposit tickets bear a unique serial number to track individual deposits. In addition to your monthly bank statement, you will receive a report that lists deposits by serial number with totals for each, as well as a grand total for all deposits. If you are currently keeping track of deposits for separate locations or purposes manually, DRP can free up a lot of your administrative time.

This is just a sampling of the cash management services banks offer to help companies in a variety of ways, including increasing treasury efficiency. Banks assist commercial clients with everything from obtaining information, managing risk, and increasing collections to structuring account plans that maximize investment returns and minimize service fees. If you haven't already met with your bank's cash management officer, it is a good idea to do so. You'll stay on top of industry changes, and most importantly, ensure that you are in the right account plan utilizing the services that maximize the benefits for your company. By structuring your bank accounts and services to meet your company's specific needs, you will reduce administrative time and, ultimately, increase your treasury efficiency.

This article was provided by Brenda Dolan, Vice President and Medical Financial Specialist of IronStone Bank, which until March of 2004 was known as Atlantic States Bank. For more information or to answer any questions you might have please call Brenda at (239) 985-2205 or Melissa Blair at (678) 366-1081. **PAID ADVERTISEMENT**

**THE DEATH CERTIFICATE**

*Submitted by Rebecca Hamilton, M.D. Medical Examiner & Judith Hartner M.D.,  
Director Lee County Health Dept*

A reminder – or refresher – concerning a few key points regarding death certificates. Sections 382 and 402 of the Florida Statutes cover the most important points to keep in mind, among them this statement: "Within 72 hours after receipt of a death or fetal death certificate from the funeral director, the medical certification of cause of death shall be completed and made available to the funeral director by the physician in charge of the decedent's care... [the physician] shall certify over his or her signature the cause of death to the best of his or her knowledge and belief."

When does a death come under the jurisdiction of medical examiner?

Florida Statute 406, the Medical Examiner's Law, Section 406.11, "Examination Investigations and Autopsies" lists the types of deaths that fall under the Medical Examiner's jurisdiction

When any person dies in Florida:

1. Of criminal violence.
2. By accident.
3. By suicide.
4. Suddenly, when in apparent good health.
5. Unattended by a practicing physician or other recognized practitioner (defined in statute as greater than 30 days since last visit to physician).
6. In any prison or penal institution.
7. In police custody.
8. In any suspicious or unusual circumstance.
9. By criminal abortion.
10. By poison.
11. By disease constituting a threat to public health.
12. By disease, injury, or toxic agent resulting from employment.
13. When a dead body is brought into the state without proper medical certification.
14. When a body is to be cremated, dissected, or buried at sea.

When the underlying (proximate) cause of death is one of the conditions listed above, the death must be reported to the medical examiner, even if the death occurs long after the injury. For example, an elderly woman dies of complications of pneumonia she acquired in the hospital after a fall that fractures her hip; this death is a medical examiner's case.

The medical examiner is not responsible for performing autopsies to determine cause of death when there is not evidence of injury or suspicion of foul play. For the Medical Examiner to sign the death certificate of an apparent natural death, he/she must rely on medical records that, at best, can be described as second hand. An attending or covering physician, even though he/she hasn't seen the deceased for several weeks, is still in a better position to certify the death, barring any unusual circumstances.

To be in conformance with the law, therefore, when the treating physician (or covering physician) who last attended the deceased (past 30 days) is informed by the Medical Examiner's Office that the death does not appear to be an ME case, the physician should sign the death certificate, based upon their knowledge of the patient and their condition.

The Medical Examiner would be more than willing to aid any physician in filling out the death certificates on their patients, if requested.

**MCCOURT SCHOLARSHIP HELPS CHILDREN WITH DIABETES**

We would like to thank all of the physicians who have made contributions to the McCourt Scholarship Fund. This fund helps to send children with diabetes to camp where they can learn to control their diabetes in a fun environment. This year we will be sending three children to camp: Megan Gibeck, Ashley Worden, and Ryan Fordiani.