

MMS News Briefs

THE MONTHLY NEWSLETTER OF THE MARIN MEDICAL SOCIETY

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Dispute over MGH cash transfers continues to escalate

The dispute over \$120 million in "equity cash transfers" from Marin General to other hospitals in the Sutter network has ratcheted up a notch, with legislators calling for an investigation by Attorney General Jerry Brown and the hospital defending its actions in a lengthy missive.

On Aug. 26, Assemblymember Jared Huffman and a dozen other state legislators sent a letter to Attorney General Jerry Brown asking him to "immediately investigate alleged misrepresentation of hospital finances, economic and medical redlining, abuse of nonprofit status, anti-trust violations, questionable allocation of public assets, and execution of contracts that may be in conflict with existing law by Sutter Health and its network of Affiliates and subsidiaries." The letter goes on to describe disputes between Sutter and local officials in several counties, including Marin.

On Sept. 1, Robert Heller, chair of the MGH board, asserted in a six-page letter to Huffman that "the Equity Cash Transfer Policy enables Sutter Health to provide access to quality health care services in communities that might otherwise not be served, such as Los Banos and Lake County." He also declared that the transfers were lawful and invited Huffman to visit the hospital and review its financial statements.

The matter now appears to rest with the Attorney General, who has issued no response to date.

MMS members invited to informal lunch with Assemblymember Huffman

All MMS and Sonoma County Medical Association members are invited to an informal lunch with Assemblymember Jared Huffman on Wednesday, Sept. 16, in Groverman Hall at Petaluma Valley Hospital. The lunch, scheduled for 12:30 to 1:30 p.m., will allow MMS and SCMA members to speak with Huffman regarding health care financing, the recent state budget, and pending health legislation (see link to CMA's Legislative Hot List below).

Petaluma Valley Hospital is located at 400 N. McDowell Blvd. in Petaluma, near the Washington Blvd. exit from Highway 101. To RSVP, contact Jessica Whittom at 924-3891 or jessica@marinmedicalsociety.org.

CMA's Legislative Hot List at cmanet.org/news/hotlist.asp provides a summary and current status of CMA-sponsored bills in the California Legislature, as well as the progress of other significant legislation followed by CMA's Center for Government Relations. For more information on a specific bill, contact the lobbyist identified at the end of each bill summary.

Physicians urged to order H1N1 vaccine

The California Department of Public Health is urging physicians to prevent the spread of the H1N1 virus by ordering vaccine free of charge from a new website, CalPanFlu.org. The vaccine, which is expected to become available in mid-October, will probably need to be given in two doses, 3-4 weeks apart. Target populations for the vaccine include:

- Pregnant women
- People who live with or provide care for infants less than 6 months old
- Health care and emergency services personnel
- Children and young adults aged 6 months to 24 years
- People 25-64 who have medical conditions that put them at higher risk for flu-related complications

The vaccine will only be available through the CalPanFlu.org website and local health departments; it will not be carried by private organizations. Physicians may bill public and private insurers for vaccine administration fees.

CPMC Foundation to merge with North Bay group

The Physician Foundation at California Pacific Medical Center, which includes the Marin Headlands Medical Group, will merge with Sutter Medical Foundation North Bay on Jan. 1. The combined foundation, with more than 220 doctors, will be called Sutter Pacific Medical Foundation. Doctors in the foundation will provide services at Sutter facilities in Marin, Sonoma, Lake and San Francisco counties, with additional locations throughout Northern California.

Chris Rogers, the incoming executive director of Sutter Pacific, said, "We are focusing on building a robust primary care and specialist network so that patients all along the 101 corridor have access to comprehensive medical care." The foundation's CEO will be Morris Flaum, MD.

Need help with Medicare billing?

PalmettoGBA, the new Medicare administrator for Northern California, has offered to conduct workshops this fall about new billing procedures and other topics of interest to physicians. Possible subjects include E&M services, preventive medicine services, RAC and CERT audits, and e-prescribing. A particular area of concern is downcoding or denials for E&M services.

The workshops will be coordinated by local medical associations. If you are interested in having PalmettoGBA conduct a workshop in your area, contact Jessica Whitton at jessica@marinmedicalsociety.org or 525-4375.

California Supreme Court upholds MICRA

The California Supreme Court has declined to review an appeals court ruling that upheld the constitutionality of California's landmark Medical Injury Compensation Reform Act (MICRA). Under MICRA, patients can recover up to a quarter of a million dollars in noneconomic or "pain and suffering" awards. Injured patients are also entitled to unlimited medical and economic compensation, which often amounts to millions of dollars to cover true damages, such as lost wages, medical expenses, and long-term care costs.

CMA sponsored and won passage of MICRA in 1975 in response to runaway medical liability costs and the resulting shortage of health care providers, predominantly in high-risk specialties.

In the most recent case, lawyers argued that the MICRA cap violates constitutional provisions that prohibit the Legislature from exercising judicial powers, as well as the equal protection clauses of the state and federal constitutions. The court, however, ruled that the state has a legitimate interest in limiting medical malpractice insurance costs because without MICRA insurance rates would pose "serious problems for the health care system in California."

EVENTS

Parkinson's seminar at Buck Institute on Sept. 10

A public seminar titled "Parkinson's Disease: From Bench to Bedside" will be held from 10:30 a.m. to noon on Sept. 10 at the Buck Institute in Novato. Presenters include Julie Andersen, PhD, a professor at the institute, and Alison McCormack, PhD, an associate professor at the Parkinson's Institute. Cost is \$10. To register, contact events-rsvp@buckinstitute.org or 209-2030.

Web conference on asthma control set for Sept. 16

Breathe California is hosting a web conference, "Quick fixes for poor asthma control," from 12:15 to 1:15 p.m. on Wednesday, Sept. 16. The presenter is Barbara Langham, RN, a pediatric care manager for Kaiser in Napa and Fairfield. The conference qualifies for 1 hour of CME. To register, visit ggbreathe.org or call 650-994-1903.

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ABOUT MMS

The Marin Medical Society, a 501(c)(6) nonprofit association, supports local physicians and their efforts to enhance the health of the community. We are affiliated with the California Medical Association and the American Medical Association.

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