Presiding: Rob Schaaf, MD, St. Joseph, Chair

Present: Drs. Rob Schaaf, St. Joseph; Warren Lovinger, Jr., Nevada; John O. Stanley, Kansas City; David Pohl, Town & Country; Brian Biggers, Springfield; David Bean, Florissant; Lancer Gates, Kansas City; Elie Azrak, St. Louis; George Hruza, Chesterfield; Kevin Weikart, Lake St. Louis; George Hubbell, Lake Ozark; David Kuhlmann, Sedalia; James DiRenna, Jr., Gladstone; Lirong Zhu, Rolla; Peggy Barjenbruch, Mexico; Sr. Kolli, St. Louis; Nathaniel Nolan, Columbia; Mr. Kartik Sreepada, Kansas City; Drs. Robert Corder, St. Joseph; John A. Memken, Hannibal; Martin Willman, St. Peters; Lisa A. Thomas, Columbia; James Conant, St. Joseph; Edmond Cabbabe, St. Louis; Ted Groshong, Columbia; Charles Van Way, Kansas City; Rebecca Hierholzer, Leawood; Nathaniel Murdock, St. Louis; Guests – Mr. Ronnie Staggs - MSMA Insurance Agency, Jefferson City; Ms. Sara Lee, Cape Girardeau; and MSMA Staff - Tom Holloway, Pat Mills, Kenny Jackson, Jeff Howell, Liz Fleenor, Benita Stennis, Haley Wansing, Sarah Luebbert, and Cheri Martin, Jefferson City.

Approval of Minutes – On motion, duly made and seconded, the minutes of the July 17, 2016, meeting were approved.

Report of the Physicians Health Committee – Mr. Bob Bondurant gave a report on the activities of the Missouri Physicians Health Program (MPHP). He reported that a physician in a leadership position at a Missouri hospital was able to increase its contribution to the MPHP from $10,000 to $15,000. That physician will encourage another organization to increase its contribution as well. He also reported that Dr. Carl Freret advocated for MPHP at the University of Missouri and St. Louis University. He stated that fewer than half of the approximately 140 hospitals in Missouri contribute to MPHP, and that there is a small, dedicated core of hospitals that give consistently.

On motion, duly made and seconded, the report of the Physicians Health Committee was approved.

Remarks of the President – Dr. Warren Lovinger reported that Dr. Ravi Johar’s father recently passed away, and that Dr. Johar extended his regrets that he was unable to attend the Council meeting. There were no Remarks of the President.

Report of the Executive Committee – Dr. Lovinger reported that the Executive Committee discussed the recent HHS non-discrimination rule that most physicians need to observe. Non-discrimination policies must be posted in a conspicuous place in physician offices, and a notice must likewise be posted stating that language services are provided at no cost to the patient. MSMA has developed forms that members can use to comply. Those forms are available on the MSMA website, and can be customized with the physicians’ practice information, printed out, and displayed in the office.

MSMA recently won the bid to provide administrative services for the Missouri Chapter of the American Congress of Obstetricians and Gynecologists. Sarah Luebbert will serve as the Chapter’s Executive Director. MSMA provides administrative services to other specialty societies, generating important revenue for the Association. MSMA staff will work to identify other specialty organizations that MSMA might benefit from the Association’s services.
Dr. Lovinger also reported that MSMA will likely lose one of its AMA delegates in 2017 due to declining AMA membership in Missouri. This will need to be addressed formally at the MSMA Annual Convention next April.

On motion, duly made and seconded, the report of the Executive Committee was approved.

Report of Budget and Finance Committee – MSMA Treasurer, Dr. David Pohl, reported that the Committee met on Saturday, October 15. Reserves are $11.3 million; there is $3.4 million in the pension fund. At the current budget level, MSMA enjoys six years’ worth of long-term reserves.

Dr. Pohl presented the proposed MSMA budget for 2017. He noted that dues revenues are down $280,000 over the last three years, and that Annual Convention contributions are likewise down in recent years. Royalty revenues are expected to improve with MSMA’s new member benefit partners: LifeLock, Officite, and MedJet Assist. Administrative Services will increase $30,000 with the addition of MOCEP and ACOG. Staff salaries will increase modestly. Health insurance will drop about $16,000 this year due to a change in carriers. We will save approximately $10,500 due to the elimination of the printed Membership Directory. Having the Annual Convention in Kansas City in 2017 will increase the cost by 30-35%, and Council expenses there will likewise go up. Also, moving the summer Council meeting to the Lake of the Ozarks will add about $7,500 to MSMA’s expenses. AMA Expenses will drop due to the loss of a delegate and an alternate, and because Dr. Lovinger will be MSMA President as well as an alternate delegate, giving us a “two-for-one.” The Williston lawsuit has cost MSMA $33,000 in legal fees so far, and will continue to generate bills.

Dr. Pohl then presented the proposed 2017 budget for the MSMA Physicians Health Foundation. That budget is very similar to the current one, with minor adjustments for declining participant fee revenues. Also, the program’s five core workers in the MPH office changed this year from independent contractors to employees. With that change, the Foundation encountered new federal taxes for Social Security and Medicare.

On motion, duly made and seconded, the Council approved the proposed MSMA budget for 2017.

On motion, duly made and seconded, the Council approved the proposed MSMA Physicians Health Foundation budget for 2017.

On motion, duly made and seconded, the report of the Budget and Finance Committee was approved.

Report of the Executive Vice President – Mr. Tom Holloway thanked all members for attending. He stated that MSMA has opposed the proposed merger of Aetna with Humana, including formal comments at a hearing of the Department of Insurance in May. The Department issued a ruling that blocked that merger in Missouri. The two insurance companies have sued to overturn that ruling, and the case is now pending before the 19th Circuit Court in Cole County. In July, the U.S. Department of Justice filed suit in U.S. District Court, District of Columbia, to block both the proposed Aetna-Humana and Anthem-Cigna mergers. The four companies involved are defending themselves vigorously and served MSMA with a federal subpoena to turn over documents and communications relating to our activities in opposition to the merger. MSMA complied, and waits now to see what transpires.

Mr. Holloway provided an update on the Williston lawsuit. Previously, MSMA filed a motion for the court to dismiss the case, which was granted in May. The plaintiff had until July 7 to file an appeal. On that day he did not file an appeal, but rather a motion to vacate or reopen the ruling. The court had 90 days to respond, but was not required to do so, and did not. On October 13, the plaintiff filed a notice to appeal with the appellate court. He has 30 days to file his papers regarding that. MSMA’s attorneys will argue that the appeal is not timely.

Mr. Holloway encouraged all members to utilize the forms available on the MSMA website for compliance with
the Section 1577 non-discrimination requirement that Dr. Lovinger mentioned in the Executive Committee report. The deadline for compliance is today (October 16). He encouraged them also to take the word back to their districts and make sure that everyone knows to post the notices in their offices, on their websites, and in any significant communications.

The sale of Primaris is closed and the proceeds are essentially in our custody. MSMA’s share of the proceeds will go to the MSMA Health Education Foundation.

Mr. Holloway directed members’ attention to the Annual Convention Exhibitor Prospectus in their folders. He encouraged them to put this information in front of drug reps.

Mr. Holloway asked members to remain after the meeting for a group photo of the leadership.

Report of the MSMA Insurance Agency – Mr. Ronnie Staggs reported that the Agency’s Board of Directors met October 15, and reviewed the Agency’s balance sheet and income statement for the first three quarters of the year. MSMAIA’s equity position continues to improve. He reported a lack of health insurance carriers for the individual marketplace, and suggested that MSMA members needing health insurance for their office staff, or professional liability insurance for their practice, to please call the Agency.


On motion, duly made and seconded, the Council approved the Commission report.

Report of the Committee on Legislative Affairs – Dr. John Stanley reported that the Committee met on October 15. He encouraged Council members to sign up for Physician of the Day in the Capitol next year. He also encouraged members to sponsor a medical student shadow for that project.

The Committee heard a brief update on federal affairs in Washington, D.C., including a CMS report on MACRA rules and regulations. They also received an update on the 2016 veto session, which included the override of SB 608, related to health care cost transparency.

The Committee received a report on the legislative issues that will likely return when the General Assembly convenes next year, and an update on Assistant Physician licensure regulations. The Board of Healing Arts has published the final rules, and will likely begin accepting applications in 2017.

Dr. James DiRenna encouraged MSMA to keep working for a prescription drug monitoring program (PDMP). He moved that MSMA support compromise PDMP legislation that gives physicians the information that they need, but also protects the patients’ confidentiality. Mr. Jeff Howell stated that the MSMA House of Delegates has twice approved strong support for a PDMP, and that MSMA is part of a coalition of about thirty other interest groups working together toward that end. This year there were two competing PDMP bills. One, which is very similar to laws enacted in the other forty-nine states, was backed by the coalition and a majority of interest groups. The other, is backed by privacy rights advocates. Mr. Howell offered to prepare a side-by-side comparison of the two bills for the Council to consider in January. The motion was then withdrawn.

On motion, duly made and seconded, the report of the Committee on Legislative Affairs was approved.
Report of the Membership Committee – Dr. John Stanley reported that the Committee met that morning at 7:00 a.m. Loss of membership is a national issue. MSMA currently has only 18% of the state’s physicians as members, down from 28% twenty years ago. This year MSMA recruited 194 new members, 120 of which took advantage of the half-price promotion in June and July.

Dr. Stanley encouraged members to review the list of new members in their districts, welcome them, and thank them for joining. He also encouraged members to utilize the MSMA cards in their recruitment packet.

Although the billing for 2017 dues has just begun, 485 members have already paid. Membership certificates are now optional, resulting in a savings on printing and postage. Members will eventually be able to download and print their own member certificates.

Dr. Stanley addressed the issue of medical student sponsorship: Members can sponsor a student for $8 per year, either designating a particular student or leaving the line blank for a generic sponsorship.

Dr. Stanley reported that the Mid-Missouri component society is now active again after several years of inactivity. He thanked Dr. Lirong Zhu for her excellent work on that.

MSMA staff has been attending MPHP presentations, manning a table outside the presentation room in an effort to recruit new members. Dr. Stanley thanked MSMA membership staff for its outstanding work.

On motion, duly made and seconded, the report of the Membership Committee was approved.

Member-Get-a-Member Campaign – Mrs. Sarah Luebbert introduced the Council to a new membership campaign now underway. Participating members can earn discounts on their MSMA dues as a reward for recruiting new members. Various recruitment resources are available on the MSMA website. Successful recruiters will be recognized on-line and during meetings. This is a friendly competition, and Mrs. Luebbert challenged members to recruit ten new members by the January meeting.

Report of the MSMA Alliance – Mrs. Liz Fleenor reported that Alliance President Jana Wolfe and President-Elect Marsha Conant are attending the North Central Alliance meeting in Indianapolis, and could not attend the Council meeting. She directed members’ attention to the Holiday Sharing Card, so members can donate to the Alliance Foundation Scholarship fund. Members who donate by November 15 will be recognized in Missouri Medicine and the Alliance News.

The Alliance fundraiser for the 2017 Annual Convention will be revealed at the January Council meeting. Dr. Joseph Corrado and his blues band will provide musical entertainment that evening. Mrs. Donna Corrado is the Alliance’s Director of Membership, and provided a membership application in the Council folders. Council members are encouraged to have their spouses sign up.

The Alliance had its fall conference in Branson. Members heard presentations on opioid abuse, attempts at marijuana legalization, and human trafficking.

AMA Report – Dr. Edmond Cabbabe reported that the AMA delegation will attend the 2016 Interim Meeting in Orlando, Florida, November 11-15. Dr. Johar will attend as an alternate delegate and as MSMA President. The AMA has accepted the Missouri resolution to study possible changes to federal Family and Medical Leave Act. It is Resolution 215, and is assigned to Reference Committee B. AMA Members may submit comments to all AMA reference committees in advance of the meeting on the AMA website.
Dr. Cabbabe reported that MSMA is well represented in the AMA leadership: Dr. David Barbe is the AMA President Elect, Dr. Jerry Kennett is on the AMA Council on Legislation, and Dr. Charles Van Way will serve on the AMA Rules and Credentials Committee at the Interim Meeting.

Dr. Cabbabe recognized Dr. Van Way for being the editor in charge of collecting reports from MSMA’s AMA delegates and compiling a report to MSMA members in *Missouri Medicine*.

**Councilor District Reports**

**District #1** – No report

**District #2** – No report

**District #3** - Dr. George Hruza reported that SLMMS is conducting a physician survey on insurance company performance. They have partnered with hospitals, and have received about 300 responses so far. The survey will close November 1.

SLMMS will host its annual Hippocrates Lecture on October 27, at Spazio’s in Westport. The topic will be the transition to value-based health care, presented by Dr. Jay Want of Denver, Colorado.

Dr. Hruza stated that SLMMS has partnered with the American Cancer Society on its campaign to get 80% of people screened for colorectal cancer by 2018.

**District #4** – Dr. Kevin Weikart reported that the St. Charles-Lincoln County Medical Society is in its eleventh year of awarding scholarships.

Dr. Weikart asked MSMA staff to generate talking points on current MSMA activities for local society meetings.

**District #5** – Dr. Lisa Thomas thanked Sarah Luebbert for attending their recent Boone County Medical Society meeting. The Society meeting included a CME event on the anatomy of a lawsuit.

**District #6** – Dr. David Kuhlmann reported that Sedalia physicians were looking forward to a visit from MSMA President Dr. Johar on November 2.

**District #7** – Dr. James DiRenna reported that Dr. Van Way will become Editor Emeritus of the Kansas City Medical Society’s journal, and Dr. Michael O’Dell will assume the editing duties.

At the Society’s annual gala, a number of awards were presented, and there was a great discussion on the history of medicine during wartime.

Dr. DiRenna attended a Top Golf event, which was given in appreciation for volunteer physicians, who have donated $65 million in care over ten years.

Upcoming events in District 7: October 21 - Kauffman Foundation workshop on opiate prescribing; October 24 – Next Society board meeting; November 17 – Population Health Management and Standardized Care in Type II Diabetes at the Intercontinental Hotel; November 24 - Plaza lighting ceremony reception at KCMS office suite in Kansas City, 5:00 – 8:00 p.m.

**District #8** – Dr. Brian Biggers reported that the Greene County Medical Society will host a candidate forum at Ozark Technical Community College on October 24 at 6:00 p.m.
Eighth District Councilor Dr. David Redfern has stepped down, creating a vacancy on the Council. GCMS recommends that Dr. Matthew Stinson fill that vacancy.

On motion, duly made and seconded, the Council elected Dr. Matthew Stinson to fill the vacated Councilor position in District 8.

District #9 – Dr. Lirong Zhu thanked Dr. Johar and Sarah Luebbert for attending a recent meeting in the district. She will check to see if MSMA can have a membership booth at the Missouri Sleep Society Convention next April in St. Louis.

District #10 – Mrs. Sara Lee, Executive Director of the Cape Girardeau Area Medical Society, reported that their office has moved. She also noted that a dermatology symposium will be held on December 3.

Organized Medical Staff Section – Dr. Peggy Barjenbruch invited all members to attend the OMSS meeting at the AMA Interim Meeting on November 10 – 12. CMS will be there to answer questions.

International Medical Graduate Section – Dr. Sri Kolli reported that she has changed employment, and is now working at Esse Health Physicians in St. Clair.

Young Physicians Section – No report

Resident and Fellow Section – No report

Medical Student Section – No report

Dr. Schaaf encouraged everyone to vote on November 8, reminded members that the Legislature will go into session January 4, 2017, and wished everyone a happy holiday season.

Adjournment - On motion, duly made and seconded, the meeting was adjourned.

Next Council Meeting – The next meeting will be held January 14-15, 2017, at the DoubleTree Hotel in Jefferson City.