



It's a dark world out there

Increased work RVU's

More regulations (EMTALA, HIPAA)

Increased malpractice insurance premiums

Increased practice expenses

Decreased reimbursement

–and your 401K has morphed into a 201K

ACSPA- SurgeonsPAC

Introduction

- Andrew L. Warshaw, MD, FACS
Chair, ACSPA-SurgeonsPAC Board of Directors
- To inform surgeons of the activities in the Washington office as well as to educate the Members of ACSPA on the importance of political participation.

8/19/2003





Topics of Discussion

- ACS Legislative Priorities
- ACSPA-Surgeons PAC
- How Can You Participate

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Legislative Priorities

- Medical Liability Reform
- Medicare physician payment
- Trauma Systems
- Patient Safety
- Resident Work Hours
- Funding for GME

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Medical Liability Reform

- ACS supports H.R. 5, the HEALTH Act, sponsored by Rep. Jim Greenwood (R-PA) and passed by the House on March 13, 2003.
- \$250,000 cap on non-economic damages
- Three year statute of limitations
- Collateral source reform
- Limit on punitive damages --- either \$250,000 or two X economic damages
- Limits on attorney fees
- Periodic payment of future damages

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Medicare Physician Payment

- On March 1, 2003 reimbursement rates received a 1.6% increase instead of the threatened 4.4% cut. ACS lobbying contributed to this victory.
- ACS is lobbying for a long term fix to Medicare reimbursement and asking Congress and the Administration to correct the formula by which payments are calculated.

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Medicare Physician Payment

- For 2004-2006, physicians will receive an estimated 4% payment cut annually.

Two policy options to give CMS time to fix the SGR:

- Implement reasonable updates for three years, after which rates will fall down a “cliff” to where they would have been if the fix had not occurred; or
- Spread the cuts over 10 years, giving physicians slightly negative or positive updates, essentially freezing payments at their current amounts.
- A Medicare prescription drug package will be introduced and voted on in both Chambers in the next two weeks. It is hoped a physician fix will be included in the bill.

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Trauma Systems

- For fiscal year 2003, the Trauma Systems program received \$3.5 million.
- The program was reauthorized this year in the Senate for \$12 million.
- Legislators in the House will be introducing legislation to reauthorize the Trauma program for \$12 million in this spring.

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Patient Safety

- On February 11, 2003, Rep. Michael Bilirakis (R-FL), Chair of the House Energy and Commerce Health Subcommittee introduced H.R. 663, Patient Safety and Quality Improvement Act.
- This bill, endorsed by the College, passed the House 418-6 on March 12th.
- It is likely that the Senate will vote on compromise patient safety legislation before medical liability reform this summer.

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Resident Work Hours

- On March 12, Rep. John Conyers (D-MI) introduced H.R. 1228, the Patient and Physician Safety and Protection Act.
- On April 30, Sen. John Corzine (D-NJ) introduced an almost identical bill in the Senate, S. 952.
- ACGME Resident Duty Hours policy take effect on July 1, 2003.
- The two pieces of legislation have little to no support and the College as well as a majority of Congressman feel it is ACGME's duty to monitor resident work hours.

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Graduate Medical Education

- Rep. Mark Foley (R-FL) and Rep. Richard Neal (D-MA) introduced H.R. 1710, the American Hospital Preservation Act.
- Companion legislation, S.899, was introduced in the Senate by Senators. Kay Bailey Hutchison (R-TX) and Evan Bayh (D-IN).

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ACSPA-Surgeons PAC

ACSPA-Surgeons PAC was created to:

- Contribute to the campaigns of those Members of Congress who support the College's legislative goals;
- Gain access to high profile Legislators, especially Committee Chairs and Leadership;
- Communicate to Capitol Hill that ACS is a political force; and
- Build the grassroots and fundraising potential to affect elections.

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ACSPA-Surgeons PAC

- The PAC filed with the Federal Election Commission on October 3, 2002 and began its first fundraising run at Clinical Congress.
- The PAC hit the ground running and donated to its first 10 candidates in the 2002 election cycle. All 10 won their elections
- The PAC has been very involved in fundraisers for key legislators, Leaders and Committee Chairs since the beginning of the 108th Congress.

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ACSPA-SurgeonsPAC

■ Key House Fundraisers in 2003:

William Thomas, Chair of the Cmte on Ways and Means (W& M)

Billy Tauzin, Chair, Energy and Commerce Cmte

Dennis Hastert, Speaker of the House

Pete Stark- Ranking Member, W & M Health Subcmte

Jennifer Dunn, Member, W & M Health Subcmte

Jim Ramstad, Member, W & M Health Submte

Mark Foley, Member, W &M Committee

Dave Weldon, Member Appropriations, HHS Subcmte

Kay Granger, Member Appropriations, HHS Subcmte

Mike Simpson DDS, Member Appropriations, HHS Subcmte

National Republican Congressional Cmte- In the name of Jim

Greenwood, Member, Energy and Commerce Health Subcmte and

Sponsor of HR. 5, the Health Act.

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■ Key Senate Fundraisers in 2003:

Sen. Charles Grassley, Chair, Senate Finance Cmte

Sen. Judd Gregg, Chair, Health, Education, Labor and Pensions Cmte

Sen. John Breaux- Member, Finance Health Subcmte and possible swing vote on Medical Liability reform

Sen. Blanche L. Lincoln- Member, Finance Health Subcmte, and possible swing vote on Medical Liability reform

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ACSPA-SurgeonsPAC

Criteria for Political Contributions

- ACSPA-SurgeonsPAC reviews the following criteria in determining political disbursements:
 1. Leadership positions
 2. Committee Assignment
 3. Voting Record
 4. Medical Profession

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Interesting PAC Facts

- ACSPA-Surgeons PAC can solicit from close to 39,000 Members. Other than the AMA, ACSPA has more members it can solicit from than all the physician groups with PACs.
- If surgeons were giving at trial lawyer levels, \$100 per member, we would be capable of raising \$3.9 million. (ATLA has 60,000 members and raised over \$6 million last election cycle)
- With millions raised, our PAC would have the capability to run issue ads as well as media coverage for and against particular Legislators.
- Only US dues paying members can donate to the PAC.

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How Can I Participate?

- Visit Washington DC with the Chapter Visit Program.
- Visit the Legislative Action Center at www.facs.org.
- Get involved in State lobbying.
- Learn about issues important to surgeons, and the ACS.
- Donate to ACSPA-SurgeonsPAC

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Chapter Visit Program

- Your Chapter every year has the chance to send 2-3 Fellows to visit with their legislators, express their views and lobby the issues.
- Very important– Legislators listen to their constituents, and know that Doctors VOTE!
- Contact Christian Shalgian in the ACS Washington office at 202-337-2701 if interested.

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ACS Legislative Action Center

- ACS maintains a program which allows you to communicate with your legislators with a click of the mouse. Visit the College's website at www.facs.org and click on Legislative Action Center for more information.

8/19/2003



Interested in State Issues?

- The College recently added a Manager of State Affairs to expand our lobbying and grassroots efforts at the state level.
- For more information contact, Christopher Gallagher in the ACS Washington Office at 202-337-2701.

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Donate to ACSPA-Surgeons PAC

- Simply fill out the provided contribution envelope and either turn it in here or mail at your convenience.
- Our average contribution has been over \$200.
- Invite Board Members or ACSPA staff to speak or display at your meetings. This year we will visit, NY, VA, DC, IN, MI, Bronx, IN, MO and CT as well as surgical specialty meetings such as SSO.