

MINUTES OF THE SPRING 2016 MEETING OF
NEW YORK STATE PSYCHIATRIC ASSOCIATION, INC.
AREA II COUNCIL OF THE
AMERICAN PSYCHIATRIC ASSOCIATION

Saturday, March 12, 2016

Marriott New York - LaGuardia Airport
East Elmhurst, New York

In Attendance:

Seeth Vivek, M.D., President
Jeffrey Borenstein, M.D., Vice President
Ramaswamy Viswanathan, M.D., Secretary
Russell Denea, M.D., Treasurer
Seth Stein, Esq., Executive Director

Members: Drs. Abraham, Altesman, Amyot, Bark, Bazzi, Bodic, Chandra, Chen, Chester, Cross, Dowling, Engel, Goldblum, Gordon, Herman, Janardhanan, Kidd, Koss, Kunkel, Leli, Neal, Nininger, Panahon, Perkins, Perlman, Ramani, Russakoff, Safin, Satloff, Schwartz, Selzer, Shapiro, Taintor, Thomas, Torres, Varon, Weinstein, Wilson

Staff: Rachel Fernbach, Esq., Donna Gajda, Richard Gallo, Linda Majowka, Jamie Papapetros, Megan Rogers

Guests: Daniel Anzia, M.D., APA Speaker-Elect, James R. Batterson, M.D., Candidate for APA Assembly Recorder, John M. de Figueiredo, M.D., Candidate for APA Speaker-Elect, Theresa Miskimen, M.D., Recorder, American Psychiatric Association and Candidate for APA Speaker-Elect, Sam Muszynski, Esq., APA Senior Policy Advisor and Director of Parity Enforcement and Implementation, David Scasta, M.D., Candidate for APA Assembly Recorder, Ann-Marie Sullivan, M.D., Commissioner, NYS Office of Mental Health

1. Call to Order – Seeth Vivek, M.D.

Dr. Vivek called the meeting to order and welcomed the following guests: Ann Sullivan, M.D., OMH Commissioner; Bruce Schwartz, M.D., newly-elected APA Treasurer; Sam Muszynski, Esq., APA Senior Policy Advisor and Director of Parity Enforcement and Implementation; Zeb Taintor, M.D., Daniel Anzia, M.D., Assembly Speaker-Elect. Dr. Vivek also acknowledged Melanie Smith from PRMS, NYSPA's Platinum Sponsor, and Max Rodriguez and Tom Collinson from RxNT, NYSPA's preferred electronic prescribing vendor.

2. NYSP-PAC Report – Edward Gordon, M.D.

Dr. Gordon presented the NYSP-PAC financial statements for calendar years 2015, 2014 and 2013 as well as financial statements for January-March 2016, 2015 and 2014, and the list of contributors so far this year. He encouraged all Council members and guests to contribute to the PAC and noted that contributions in any amount are welcome. Dr. Vivek noted that psychology prescribing bills have been introduced in both the Senate and Assembly and that organized psychiatry must marshal its resources to prevent psychologists from obtaining prescribing privileges in New York State.

3. Candidates for Assembly Recorder

David Scasta, M.D., and James R. Batterson, M.D., Candidates for Assembly Recorder, addressed the Council and answered questions.

4. Candidates for Assembly Speaker-Elect

Theresa Miskimen, M.D., and John de Figueiredo, M.D., Candidates for Assembly Speaker-Elect, addressed the Council and answered questions.

5. Secretary's Report – Ramaswamy Viswanathan, M.D.

Dr. Viswanathan presented minutes from the October 10, 2015 meeting of the NYSPA Council. A Motion to Accept the minutes was Approved.

6. Treasurer's Report – Russell Denea, M.D.

Dr. Denea presented financial statements for calendar years 2015, 2014 and 2013 along with financial statements for January-March 2016, 2015 and 2014. A Motion to Accept the financial statements was Approved.

7. Budget Committee – Aaron Satloff, M.D.

Dr. Satloff presented the 2016 NYSPA Budget. A Motion to Accept the Budget was Approved.

8. APA-PAC – Russell Denea, M.D., and James Nininger, M.D.

Drs. Denea and Nininger encouraged all present to contribute to the APA-PAC and handed out contribution envelopes.

9. Nominating Committee – Seeth Vivek, M.D.

Dr. Vivek presented the Slate of Candidates for the upcoming NYSPA election:

President	Seeth Vivek, M.D.
Vice President	Jeffrey Borenstein, M.D.
Secretary	Ramaswamy Viswanathan, M.D.
Treasurer	Daniel Chen, M.D. Edward Herman, M.D.

Paper ballots were distributed to all voting members of the Council. Dr. Vivek appointed Subhash Chandra, M.D. and Donna Gajda to serve on a Teller's Committee.

10. RFM Deputy Representative Election

Dr. Vivek announced that the winner of the RFM Deputy Representative election is Shiby Abraham, M.D.

11. President's Report – Seeth Vivek, M.D.

a) Dr. Vivek reminded the Council that is important to ensure that each District Branch is represented at the upcoming Assembly meeting. If the current representative cannot attend, another individual from that District Branch may be designated to attend the meeting in their place.

b) Dr. Vivek provided an update on NYSPA's efforts with respect to parity implementation. Mr. Stein added an update on the recent Second Circuit decision in NYSPA et al v. United Healthcare and noted that NYSPA is still looking for psychiatrists and patients who may be interested in participating in the next phase of the litigation, which will focus on parity in reimbursement and parity in medical necessity reviews. NYSPA will be hosting a webinar on March 30, 2016 addressing parity implementation issues and encouraged all Council members to attend.

c) Dr. Vivek reported that NYSPA has received an APA grant in the amount of \$7,400 aimed at improving relationships between the organization and residency training directors across the State. NYSPA plans to use the funds to form a committee of residency training directors and to offer programs and training sessions of interest to residents and fellows.

d) Dr. Vivek announced that Edmond Amyot, M.D., will be stepping down as NYSPA representative to the MSSNY Committee on Psychiatry and Addiction Medicine and that a replacement is needed. Please let us know if you know anyone who might be interested in serving on the MSSNY Committee.

12. NYSPA Election

Dr. Vivek announced the results of the NYSPA Election, as follows:

President	Seeth Vivek, M.D.
Vice President	Jeffrey Borenstein, M.D.
Secretary	Ramaswamy Viswanathan, M.D.
Treasurer	Edward Herman, M.D.

A Motion to Destroy the Ballots was Approved.

13. OMH Update - Ann Sullivan, M.D.

Ann Sullivan, M.D., OMH Commissioner, addressed the Council and provided an update on the 2016-2017 New York State budget, including (i) new preventive and outreach services in Medicaid Managed Care for children with serious mental illness; (ii) closure of more than 400 inpatient beds across the state and implementation of more than \$60 million in related community reinvestment activities across the State; (iii) a loan forgiveness program for psychiatrists who take jobs in state hospitals and facilities; and (iv) establishment of a new check-off box on the New York State tax return to make donations in support of eliminating stigma against mental illness. Dr. Sullivan also provided an update on OMH initiatives, including On Track New York, a program aimed at assisting individuals experiencing first episode psychosis, aftercare for individuals leaving jails and prisons, and a new crisis intervention training program for police who interact with individuals with mental illness. Dr. Sullivan then answered questions from the Council.

14. Assembly Update

- a) Daniel Anzia, M.D., Assembly Speaker-Elect, reported that the Assembly Executive Committee met this past January and that there are 17 position statements and several proposed amendments to the Assembly Code of Procedures to be reviewed at the upcoming Assembly meeting in Atlanta, GA.
- b) Theresa Miskimen, M.D., Assembly Recorder, provided an update on action paper procedures and a recent survey of Assembly members.

15. Legislative Report – Barry Perlman, M.D. and Richard Gallo

- a) Dr. Perlman provided an update on federal mental health reform legislation and a New York parity report card bill that NYSPA is working on. He also noted that Rodger Currie, APA Director of Government Relations, has left the APA and that Jeffrey Regan has been appointed Acting Director.
- b) Mr. Gallo provided an update on the following legislative items and issues: (i) psychology prescribing bills that have been introduced in both houses of the legislature;

(ii) corporate practice of medicine issues; (iii) NYSPA's efforts with regard to prohibition of conversion therapy efforts in minors; (iv) raising the age of criminal responsibility from 16 to 18; and (v) NYSPA's opposition to a bill that would impose upon certain health care professionals a duty to warn regarding possible harm to self or others.

c) Mr. Gallo reported that the Legislative Committee would like to form a workgroup to examine issues relating to health care practices comprised of physicians and other mental health professionals. A Motion to approve the formation of such workgroup was Approved.

d) Mr. Gallo provided an update on the Veterans Mental Health-Primary Care Training Initiative and noted that trainers are available to present at Grand Rounds and other events across the State.

16. RxNT Demonstration

Max Rodriguez and Tom Collinson from RxNT, NYSPA's preferred electronic prescribing vendor, provided a demonstration of the RxNT software and answered questions from the Council.

17. Executive Director's Report – Seth Stein, Esq.

a) Mr. Stein reported on NYSPA's partnership with RxNT and noted that NYSPA reviewed a variety of software vendors and that NYSPA members had very good feedback about RxNT's product. As part of the agreement, NYSPA members will be able to purchase the software at a discounted rate and NYSPA will receive a commission on every purchase by a NYSPA member. In addition, RxNT has agreed that it will not sell any prescribing data to third parties, including de-identified data.

b) Mr. Stein noted that NYSPA staff is available to present Grand Rounds or visit District Branches to discuss ongoing parity implementation efforts.

18. Action Papers – Marvin Koss, M.D.

Dr. Koss presented the following action papers for discussion: "Eliminate Federal Parity Opt-Out," "Voting in Election of Assembly Officers," and "Making Access to Treatment for Erectile Disorder Available under Medicare." The Council voted to endorse "Eliminate Federal Parity Opt-Out" and "Making Access to Treatment for Erectile Disorder Available under Medicare."

19. Addiction Committee – Jeffrey Selzer, M.D.

Dr. Selzer reported that the Committee discussed the following items: (i) potential merger between OMH and OASAS; (ii) current opioid addiction epidemic and potential solutions; (iii) the use of telemedicine in the treatment of opioid addiction; and (iv) recognition of pain assessment as a vital sign.

20. Child and Adolescent Committee – Lenore Engel, M.D.

Dr. Engel reported that the Committee discussed the following items: (i) medication coverage and other insurance issues; (ii) substance abuse treatment in children; and (iii) services for children with both mental illness and autism or developmental disabilities.

21. Economic Affairs Committee – L. Mark Russakoff, M.D.

Dr. Russakoff thanked Sam Muszynski, APA staff, for attending the meeting and for his valued contributions. He reported that the Committee discussed the following items: (i) the federal parity opt-out for governmental health plans; (ii) restrictions imposed by pharmacy benefit managers and time spent obtaining prior approvals; and (iii) controlled substance prescribing.

22. Early Career Psychiatrists – Anil Thomas, M.D.

Dr. Thomas reported that the Committee's listserv is now operational and that the Committee hosted a recent event entitled "Contracts and How to Start a Private Practice."

23. Membership Committee – James Nininger, M.D.

The Committee hopes to schedule visits with residency training programs across the State to encourage membership in the APA and also plans to reach out to psychiatrists working in State hospitals, VA hospitals and jails and prisons.

24. MSSNY Committee on Psychiatry and Addiction – Edmond Amyot, M.D.

Dr. Amyot reported that the Committee, which is the only MSSNY Committee that focuses on a particular medical specialty, is looking to recruit more psychiatrists. The Committee meets three times per year, in person and by conference call. If anyone is interested in serving on this committee, please contact NYSPA leadership.

25. Presidents and Presidents-Elect Committee – Meena Ramani, M.D.

Dr. Ramani reported that the Committee discussed the new regulations regarding federally qualified health centers and how they will affect the practice of psychiatry.

26. Psychiatry and the Law Committee – Richard Rosner, M.D.

Dr. Rosner announced that the Committee has requested that it be permitted to allocate its \$300 annual committee budget to support an educational program jointly sponsored by the New York Academy of Medicine, Psychiatry Section, and the Society for Adolescent Psychiatry. A Motion to allocate committee funds in support of the program was Approved.

27. Public Affairs Committee – C. Deborah Cross, M.D.

Dr. Cross reported that the Committee discussed its mission and role and identified issues that require rapid response from organized psychiatry, including tragedies such as shootings, stigma, opioid addiction issues, and suicide. The Committee plans to work on responses to each of these issues that can be timely shared with the media as needed.

28. Public Psychiatry – Nigel Bark, M.D.

Dr. Bark reported that the Committee discussed the following items: (i) concerns regarding Justice Center investigations and the impact on staff morale; (ii) the issue of low salaries for psychiatrists in the State system; and (iii) the new loan forgiveness program for psychiatrists who work in the State system.

29. Resident and Fellow Member Committee – Subhash Chandra, M.D.

Dr. Chandra reported that the Committee hopes to increase participation from residents and fellows across the State. The Committee discussed the issue of APA membership retention during the transition between residency and full time employment.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Ramaswamy Viswanathan, M.D., Secretary