

MINUTES OF THE SPRING 2015 MEETING OF  
NEW YORK STATE PSYCHIATRIC ASSOCIATION, INC.  
AREA II COUNCIL OF THE  
AMERICAN PSYCHIATRIC ASSOCIATION

Saturday, March 21, 2015

Marriott New York - LaGuardia Airport  
East Elmhurst, New York

In Attendance:

Seeth Vivek, M.D., President  
Jeffery Borenstein, M.D., Vice President  
Ramaswamy Viswanathan, M.D., Secretary  
Russell Denea, M.D., Treasurer  
Vivian Pender, M.D., Area II Trustee  
Seth Stein, Esq., Executive Director

Members: Altesman, Amyot, Bark, Begum, Brody, Chandra, Chen, Chester, Cross, Dowling, Engel, Feld, Gordon, Herman, Janardhanan, Koss, Kroplick, Kunkel, Leonard, Licciardi, Neal, Nininger, Perlman, Peyser, Poniaman, Ramani, Russakoff, Safin, Satloff, Schulman, Shapiro, Thomas, Torres, Varon, Vito, Weinstein, Weisbrot, Wilson

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

Guests: Daniel Anzia, M.D., Candidate, APA Speaker-Elect, Ludmila De Faria, M.D., Candidate, APA Assembly Recorder, Theresa Miskimen, M.D., Candidate, APA Assembly Recorder, Sam Muszynski, Director, APA Healthcare Systems & Financing, Bob Roca, M.D., Candidate, APA Speaker-Elect, Ann Sullivan, M.D., Commissioner, NYS Office of Mental Health

### **1. Call to Order**

Dr. Vivek called the meeting to order and thanked Melanie Smith from PRMS for its support of today's meeting. He welcomed guests Sam Muszynski, Esq., APA Director of Healthcare Systems & Financing and Ann Sullivan, M.D., OMH Commissioner. Dr. Vivek asked all of the Council representatives to introduce the DB President/President-Elect from their area.

### **2. Candidates for Assembly Speaker-Elect**

Robert Roca, M.D. and Daniel Anzia, M.D., Candidates for Assembly Speaker-Elect, addressed the Council and answered questions.

### **3. Secretary's Report – Ramaswamy Viswanathan, M.D.**

Dr. Viswanathan presented minutes from the October 25, 2014 meeting of the NYSPA Council. A Motion to Accept the minutes was Approved.

#### **4. Treasurer's Report – Russell Denea, M.D.**

Dr. Denea presented the following: (i) financial statements for full year 2014 along with a comparison to 2013 and 2012; (ii) financial statements for January-March 2015 along with a comparison to the same time period for 2014 and 2013 and (iii) a schedule of dues revenue for the past 5 dues cycles. A Motion to Accept the financial statements was Approved.

#### **5. President's Report – Seeth Vivek, M.D.**

a) Dr. Vivek reported that the mandatory electronic prescribing deadline has been extended by one year to March 2016, which NYSPA supported.

b) Dr. Vivek reported that the Assembly Executive Committee (AEC) has proposed an Assembly reorganization plan that will be voted on at the May Assembly meeting. Area II currently has 14 representatives to the Assembly. The new proposal would increase that number to 20, with no deputy representatives. Dr. Vivek noted that NYSPA leadership supports the reorganization proposal.

c) Dr. Vivek noted that Area II will receive an award at the May Assembly meeting for having had the highest percentage of voting in the 2015 APA National Election.

#### **6. Assembly Update**

Daniel Anzia, M.D., Assembly Recorder, provided additional information regarding the AEC Assembly reorganization plan and stated that it represents a fair compromise for all Area Councils. If the current proposal is not approved, Assembly representation will revert to the 2009 formula, in which New York had 19 representatives. The Council discussed the reorganization proposal and expressed its support for the proposal.

#### **7. NYSP-PAC Report – Edward Gordon, M.D.**

Dr. Gordon presented the following: (i) NYSP-PAC financial statement for full year 2014, 2013 and 2012; (ii) financial statements for January-March 2015 along with a comparison to the same time period for 2014 and 2013; and (iii) the list of contributors so far this year. He encouraged all Council members and guests to contribute to the PAC if they hadn't already done so. Dr. Gordon noted that even small donations are welcome and appreciated as it is important to have participation from as many members as possible. Richard Gallo, NYSPA Government Relations Advocate, noted that PAC contributions create close relationships with legislators and encouraged everyone to contribute in light of recent psychology prescribing efforts. Dr. Denea also encouraged those present to contribute to the APA-PAC to support national legislative and advocacy efforts.

#### **8. Vice-President's Report – Jeffrey Borenstein, M.D.**

a) Dr. Borenstein reported that Chirlane McCray, the First Lady of New York City, has announced a new city-wide mental health initiative and requested participation from NYSPA members from the New York

City District Branches to participate in a task force to provide recommendations regarding proposed mental health initiatives. Fifteen psychiatrists are currently participating in the task force.

b) Dr. Borenstein reported that Gary Belkin, M.D., Ph.D., M.P.H., Executive Deputy Commissioner of the New York City Department of Health and Mental Hygiene, will be attending the Fall NYSPA Council Meeting.

#### **9. Budget Committee – Aaron Satloff, M.D.**

Dr. Satloff presented the NYSPA Budget Proposal for 2015. He noted that the Budget Proposal includes a \$30 dues increase which is expected to result in a 10% increase in revenues and a projected surplus of approximately \$23,000. A Motion to Amend the Budget Proposal to postpone the dues increase to 2017 was defeated. A Motion to Amend the Budget Proposal to provide that the dues increase not apply to Early Career Psychiatrists was defeated. A Motion to Amend the Budget Proposal to reduce the dues increase to \$15 was defeated. Following discussion, the Budget Proposal was approved in a standing vote of 18 in favor and 12 against. A Motion was made for a Vote by Strength. The Budget Proposal was approved in a Vote by Strength.

#### **10. Candidates for Assembly Recorder**

Theresa Miskimen, M.D., and Ludmilla De Faria, M.D., Candidates for Assembly Recorder, addressed the Council and answered questions.

#### **11. OMH Report – Ann Sullivan, M.D.**

OMH Commissioner, Ann Sullivan, M.D., addressed the Council and provided an update on OMH initiatives and budget items, including individuals with mental illness in the criminal justice system, supported housing, DSRIP, managed care for individuals with SPMI, planned reduction in state hospital beds, presumptive Medicaid eligibility for individuals leaving jails and prisons and prescriber prevails issues. Dr. Sullivan also answered questions from the Council.

#### **12. Legislative Report – Barry Perlman, M.D. and Richard Gallo, NYSPA Government Relations Advocate**

a) Dr. Perlman provided an update on national legislative issues affecting the practice of psychiatry, including psychology prescribing, DSM, efforts to have psychologists included in definition of physicians in the Medicare program, pending mental health reform legislation, and parity enforcement efforts.

b) Mr. Gallo provided updates on the following issues and items: the recent MSSNY Legislative Day, which was very well attended by psychiatrists; recent changes in Senate and Assembly leadership positions; delayed implementation of mandatory electronic prescribing; potential elimination of prescriber prevails in Medicaid Fee For Service, the proposal to raise the age of criminal responsibility from 16 to 18; recent Attorney General parity settlements; and the Veterans Mental Health Primary Care Training Initiative. Finally, Mr. Gallo noted that Medical Specialty Coalition Lobby Day will be held on May 12, 2015 in Albany.

#### **13. Area II Trustee's Report – Vivian Pender, M.D.**

Dr. Pender provided an update on the following APA and Board of Trustees activities: maintenance of certification activities, APA strategic initiatives and advocacy activities, recent increases in APA membership and the APA's decision to relocate its offices to Washington, DC, and its plan to purchase a building to house its corporate headquarters.

#### **14. Executive Director's Report – Seth P. Stein, Esq.**

a) Mr. Stein reported on a new patient disclosure requirement that goes into effect on March 31, 2015 and applies to all physicians practicing in New York State. Physicians must provide patients with disclosures regarding their health plan participation and hospital affiliations, where applicable. NYSPA has prepared written materials describing the new requirement as well as model disclosure forms, all of which have been posted on the NYSPA website.

b) Mr. Stein reported on the one-year extension for mandatory electronic prescribing and the hope that the delay will provide an opportunity to address problems and concerns with the current framework.

c) Mr. Stein reported on the recent NYSPA webinar on the 2015 PQRS program and noted that NYSPA offered members direct guidance on how to successfully participate in PQRS in order to avoid the 2% cut slated for 2017.

#### **15. Action Papers – Marvin Koss, M.D.**

Dr. Koss reported that the following action papers will be reviewed by the Assembly in May: (i) The Impact of Global Climate Change on Mental Health; (ii) New Position Statement on Firearm Access, Acts of Violence, and the Relationship to Mental Disorders and Mental Health Services; and (iii) Compensation, Treatment and Recognition of Survivors of Fort Hood Shooting Incident. The Council discussed the papers and endorsed items (i) and (iii). The Council did not endorse item (ii).

#### **16. Resident-Fellow Member Deputy Representative Election**

Dr. Vivek announced that the winner of the Resident-Fellow Member Deputy Representative election is Jeremy Kidd, M.D. A Motion to destroy the ballots was Approved.

#### **17. Psychiatry and the Law Committee**

Dr. Vivek announced that the Committee has requested that it be permitted to allocate its \$300 annual committee budget to support an educational program on juvenile delinquency issues 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.

#### **18. Children and Adolescents Committee – Lenore Engel, M.D.**

Dr. Engel reported that the Committee discussed prescribing issues and mental health services for children with developmental disabilities.

#### **19. Economic Affairs – L. Mark Russakoff, M.D.**

Dr. Russakoff reported that the Committee discussed (i) issues regarding County exemptions from compliance with the federal parity law and (ii) prior authorization issues regarding prescriptions, inpatient admissions and lengths of stay.

**20. Early Career Psychiatrists - Anil Thomas, M.D.**

Dr. Thomas reported that the Committee discussed maintenance of certification, electronic prescribing, efforts to establish an ECP listserv and activities at the APA Annual Meeting in May. Dr. Thomas announced that Jose Vito will be stepping down as Chair of the Committee and that a new Chair will be announced shortly.

**22. Presidents and Presidents-Elect Committee – David Brody, M.D.**

Dr. Brody reported that the Committee discussed efforts to promote the NYSP-PAC, the NYSPA Budget Proposal, and the possibility of an additional Committee meeting during the year, perhaps via conference call.

**23. Membership - C. Deborah Cross, M.D. and James Nininger, M.D.**

Dr. Cross reported that the Committee discussed a possible listserv, the need for membership representatives from each district branch, mentorship programs and possible outreach efforts, including approaching non-member psychiatrists, reaching out to subspecialty organizations and dues amnesty proposals. Dr. Vivek added that he is available to attend district branch meetings and has already visited the West Hudson District Branch and plans to visit the Genesee Valley District Branch in April. Dr. Vivek also announced a new membership initiative whereby all NYSPA members will receive a Happy Birthday email from the association.

**24. Public Psychiatry Committee – Edmund Amyot, M.D.**

Dr. Amyot reported that the committee discussed the following: (i) its support for Ann Sullivan, M.D.'s appointment as Acting OMH Commissioner and (ii) proposals for state hospital re-organization. The committee continues to look for additional membership and greater representation among district branches.

**26. New Business**

Dr. Viswanathan announced that NYSPA will be hosting its first annual Spring Poster Contest for Resident-Fellow Members in Spring 2016. He hopes this new program will increase member recruitment and membership engagement among Resident-Fellow members.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Ramaswamy Viswanathan, M.D., Secretary