



# New York State Psychiatric Association, Inc.

Area II Council of the American Psychiatric Association

400 Garden City Plaza, Garden City, New York 11530 • (516) 542-0077

## FALL AREA II COUNCIL MEETING

March 22, 2014

LaGuardia Marriott

East Elmhurst, New York

1. Schedule of Activities and Agenda
2. Minutes of the Fall Area Council Meeting (10/26/13)
3. NYSPA Executive Committee Minutes (2/11/14)
4. Financial Statement (2013)
5. Dues Comparison (2010-2014)
6. NYSPA 2014 Budget Proposal
7. NYSP-PAC Financial Statement (2013 and 1/1/14-present)
8. NYSP-PAC Contributor List
9. Report of Executive Director's Major Activities
10. Legislative Report
11. Comparison of Budget Proposed by the Governor, Senate and Assembly
12. Specialty Coalition Lobby Day Registration Form
13. Area II Trustee Report
14. List of Action Papers for 2014 Assembly Meeting
15. Action Paper – Creation of President's Award for the District Branch with the Highest Percentage of Voting
16. Action Paper – Veterans Affairs Medical Center (VAMC) Participation in State Prescription Monitoring Program (PMP)
17. Action Paper – Reinstatement of the Committee on Persons with Mental Illness in the Criminal Justice System
18. Action Paper - APA Assembly Vote of Thanks to Darrel A. Regier, MD, MPH
19. Action Paper – Industry Sponsored (Supported) Symposia
20. PQRS Webinar Flyer
21. Fall 2014 NYSPA Meeting Announcement

NYSPA Disclosure of Interests & Affiliations Form

NYSP-PAC Solicitation Form

**Travel Expense Voucher**



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## Spring 2014 AREA II COUNCIL MEETING SCHEDULE AND AGENDA

Saturday, March 22, 2014

LaGuardia Marriott Hotel

East Elmhurst, New York

- 8:30 A.M. Executive Committee Meeting
- 9:30 A.M. Committee Meetings
- 11:00 A.M. PQRS Presentation – Kathy Dunphy, Director Congressional Affairs, National Government Services and Rachel Fernbach, Esq., NYSPA Deputy Director and Assistant General Counsel
- 12:15 P.M. LUNCHEON
- 1:15 P.M. Council Session
- 1:15 P.M. Call to Order and Introductions ✓
- 1:15 P.M. Approval of Minutes - Dr. Altesman ✓
- 1:20 P.M. Approval of Treasurer's Report - Dr. Borenstein ✓
- 1:30 P.M. Budget Committee Report – Dr. Satloff ✓
- 1:40 P.M. NYSP-PAC – Dr. Gordon ✓
- 1:45 P.M. Report of Nominating Committee and Election of Officers ✓
- 2:10 P.M. Chair's Report – Dr. Martin ✓
- 2:30 P.M. Report from Ann Sullivan, M.D., Acting Commissioner, OMH ✓
- 2:50 P.M. Legislative Report – Mr. Gallo ✓
- 3:10 P.M. NYSPA Distinguished Service Award ✓
- 3:20 P.M. RFM Dep Rep Election Results ✓
- 3:25 P.M. Vice President's Report – Dr. Vivek ✓
- 3:35 P.M. Executive Director's Report – Mr. Stein ✓
- 3:45 P.M. Area II Trustee Report – Dr. Nininger ✓
- 4:15 P.M. Assembly/APA Update
- 4:30 P.M. Committee Reports – Addiction Psych, Child and Adolescent Psych, Economic Affairs, ECP, RFMs, Presidents and Presidents-Elect, MSSNY Committee on Psychiatric Medicine, Public Affairs, Public Psychiatry
- 4:50 P.M. Old Business/New Business
- 5:00 P.M. Adjournment

**MINUTES OF THE FALL 2013 MEETING OF  
NEW YORK STATE PSYCHIATRIC ASSOCIATION, INC.  
AREA II COUNCIL OF THE  
AMERICAN PSYCHIATRIC ASSOCIATION**

**Saturday, October 26, 2013**

**Marriott New York – LaGuardia Airport  
East Elmhurst, New York**

**In Attendance:**

Glenn Martin, M.D., President  
Seeth Vivek, M.D., Vice President  
Richard Altesman, M.D., Secretary  
Jeffrey Borenstein, M.D., Treasurer  
C. Deborah Cross, M.D., Past President  
James Nininger, M.D., Area II Trustee  
Seth Stein, Esq., Executive Director

**Members:** Altesman, Amyot, Bark, Borenstein, Brody, Campbell, Christman, Engel, Falkowitz, Feld, Gennaro, Haldipur, Herman, Kelleher, Lewek, Mattson, McAlister, Miller, Neal, Panahon, Pender, Perlman, Peyser, Russakoff, Rustomji, Saeed, Satloff, Schulman, Sidaros, Sullivan, Thomas, Varon, Viswanathan, Vito, Yur'yev

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

**Guests:** Jenny Boyer, M.D. - Speaker-Elect, APA Assembly, Kristin Krueger – APA Chief of Allied & External Partnership, Saul Levin, M.D. - APA CEO and Medical Director, Sam Muszynski, JD – Director of APA Office of Healthcare Systems & Financing, Cindy Tunney – American Professional Agency, Inc., Melinda Young, M.D. – Speaker APA Assembly

1. Dr. Martin called the meeting to order and welcomed guests Jenny Boyer, M.D., Assembly Speaker-Elect, Melinda Young, M.D., Assembly Speaker, Saul Levin, M.D., APA Medical Director and CEO, Kristin Krueger, APA Director of Allied and External Partnerships, and Ann Sullivan, M.D., nominee for OMH Commissioner.

2. Secretary's Report – Richard Altesman, M.D.

Dr. Altesman presented minutes from the March 16, 2013 meeting of the NYSPA Council. A Motion to Accept the minutes was Approved.

3. Treasurer's Report – Jeffrey Borenstein, M.D.

Dr. Borenstein presented the financial statements for January-September, 2013, along with a comparison to the same period for 2012 and 2011. He noted that the number of dues-paying members has decreased, but that revenue has remained stable, likely as a result of the dues increase implemented last year. Dr. Borenstein presented the proposed NYSPA Budget for 2014, which will be voted on by the Council at its March 2014 meeting. A Motion to Accept the financial statements was Approved.

4. President's Report – Glenn Martin, M.D.

a) Dr. Martin provided an update on membership issues. He noted that the number of dues-paying members has dropped significantly over last few years. This may be the result of the aging of members as well as the change in the APA-endorsed malpractice carrier. Membership recruitment and retention continue to be an important issue that NYSPA plans to focus on going forward. Also, NYSPA plans to look into the disparity in dues charged by various district branches across the state and whether that should be addressed.

b) Dr. Martin provided an update on DSM. An ongoing committee will be looking into the future of DSM and how to implement the DSM process going forward. Dr. Martin also noted that the DSM website ([www.dms5.org](http://www.dms5.org).) includes frequently updated FAQs and errata.

c) Dr. Martin reported that the Department of Health plans to issue regulations on health information exchanges, which may mandate participation by all licensed facilities in the state. At present, individual consent is not required to upload health information into an exchange, but consent is mandated in order to access health information maintained in an exchange. Dr. Martin urged all council members to review the regulations carefully after they are issued to identify issues and concerns, particularly those regarding health records of minors.

d) Dr. Martin announced that he would like to nominate Ivan Goldberg, M.D., for the APA Presidential Service Award. Dr. Goldberg was a pioneer in listserv etiquette and established one of the first psychopharmacological listservs in the 1980s. A Motion to nominate Ivan Goldberg, M.D., for the APA Presidential Service Award was Approved.

e) Dr. Martin announced that MSSNY is looking for individuals interested in serving on its Committee on Psychiatry and Addiction Medicine. The Committee meets approximately four times per year via conference call. If you are interested, please let Dr. Martin know.

f) Dr. Martin reported that the Executive Director's contract is expiring at the end of 2013 and a committee, chaired by Jeffrey Borenstein, M.D., has been formed to review renewal options.

g) Dr. Martin provided an update on the NYSPA website and thanked those NYSPA committees who have submitted content. He outlined some additional elements planned for the site, including a media section, an electronic communications policy and a research section.

5. Incoming OMH Commissioner, Ann Sullivan, M.D., addressed the Council and provided an overview of issues and challenges currently facing OMH, including the integrated care movement, Medicaid reform and transfer of all Medicaid recipients into managed care by 2015, and the pending re-organization of the state mental health system. Dr. Sullivan then answered questions from the Council.

6. Saul Levin, APA CEO and Medical Director, addressed the Council and discussed his vision for the APA and three areas he has identified for possible change and enhancement. First, Dr. Levin plans to work on long range strategic planning, which will include efforts to improve communication with members, a new research advisory group and an advocacy audit. Second, the APA will focus on membership issues and will revisit the issue of membership dues and district branch dues. Third, Dr. Levin would like to improve partnerships with allied organizations and other external organizations that share synergies with the APA. Dr. Levin reported that the APA currently has 38,000 members. Finally, Dr. Levin reported that the APA hopes to consider possible endorsement of an electronic medical record system that would be appropriate for the practice of psychiatry.

7. NYSP-PAC Report – Barry Perlman, M.D.

Dr. Perlman presented the NYSP-PAC financial statement for January-September 2011, 2012 and 2013 and 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.

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

a) Dr. Perlman provided an overview of new statutory and regulatory obligations imposed on New York physicians this year, including new reporting requirements imposed by the SAFE Act, I-STOP and the NYS Justice Center. Dr. Perlman stated that NYSPA plans to assist its members in complying with all the new requirements. In addition, we must encourage more careful drafting of legislation and regulations to accomplish goals but at the same time alleviate additional burdens placed on physicians.

b) Mr. Gallo reported on a variety of scope of practice bills successfully opposed by NYSPA, including attempts by nurse practitioners, mental health practitioners and naturopaths to expand their scope of practice. In addition, NYSPA continues to oppose additional legislation that would erode the current prohibition on the corporate practice of medicine.

c) Mr. Gallo reported on pending legislation opposed by NYSPA that would codify the DSM-IV definition of autism as well as establish a DSM-5 Implementation Council. Neither of these bills have moved forward at this time.

d) Mr. Gallo provided updates on the 2013/14 state budget, the Veteran's Mental Health Initiative, the fight against psychology prescribing, hospital bankruptcy legislation, legislation that would ban sexual orientation change efforts and a proposal to raise the age of criminal responsibility from 16 to 18.

9. Public Psychiatry Committee – Edmond Amyot, M.D.

Dr. Amyot reported that Gregory Miller, M.D., OMH Medical Director of Adult Services, attended the committee meeting this morning as a guest. The committee discussed the proposal for re-organization of the state's mental health system and its hopes that the provider community will be integrated into the implementation process and cost-savings from hospital closures will be reinvested in community-based services.

10. Children and Adolescents Committee – Lenore Engel, M.D.

Dr. Engel reported that the committee discussed its concerns regarding the state hospital re-organization proposal and its potential effect on both inpatient and outpatient services for children and adolescents.

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

a) Dr. Vivek announced that he will be serving as Area II Representative at the November Assembly meeting because Dr. Martin was elected to serve as Assembly Recorder and cannot also serve as Area II Representative.

b) Dr. Vivek provided as an update on the NYSPA Electronic Communications Committee, which he chairs. He is pleased to report that the new NYSPA website is now up and running and has had significant web traffic. He hopes that the general public will be able to get information from the NYSPA website as well, including general information and doctor referrals.

12. NYSPA Scientific Paper Contest – Seeth Vivek, M.D.

Dr. Vivek reported that the contest, currently in its fifth year, received 22 entries this year. He thanked Drs. Denea and Satloff for serving as judges. Dr. Vivek announced the winners of the contest:

- First Place: Connie W. Chan, M.D., Bronx Lebanon  
“New Perspective on an Old Drug: Literature Review on the Safety and Adverse Effects of Lithium”
- Second Place: Mercedes Perez-Rodriguez, M.D., Ph.D., Mt. Sinai  
“Brain-Derived Neurotrophic Factor and Amygdala Habituation Deficit in Borderline Personality Disorder: A Research Domain Criteria Imaging Genetics Study”
- Third Place: Andriy Yur’yez, M.D., Harlem Hospital  
“Socio-demographic characteristics of individuals with history of crack cocaine use”

13. Assembly Update – Melinda Young, M.D. and Glenn Martin, M.D.

a) Dr. Young, Assembly Speaker, provided an update about the upcoming Assembly meeting, including planned workgroups that will meet during breakfast, 24 pending action papers and four issues being referred by the Joint Reference Committee. Dr. Young reported that Patrick Kennedy, former U.S. Representative from Rhode Island, will be addressing the Assembly to discuss issues relating to parity implementation. She reported that the Assembly is currently working on streamlining the action paper process, implementation of new electronic voting on Assembly matters, and advocacy with respect to the new maintenance of certification requirements.

b) Dr. Martin, Assembly Recorder, provided an update on electronic voting and activities of the Procedures Committee.

14. Action Papers

The Council discussed the following action papers that will be reviewed by the Assembly in November:

(i) That the American Psychiatric Association applies for non-governmental status with the United Nations and (ii) Establishment of incentives to encourage voting.

15. Executive Director's Report – Seth P. Stein, Esq.

a) Mr. Stein provided an update on recent NYSPA activities that directly benefit members, including CPT trainings, website articles on various regulatory and policy issues, and upcoming webinars on topics including PQRS, the Justice Center and Coding and Medical Necessity. He also provided information regarding the number of hits on the new NYSPA website, divided by topic.

b) Mr. Stein reported that NYSPA has been proactive in contacting Optum regarding its denial of claims for the new combination psychotherapy claims citing failure to separately document the time spent providing psychotherapy, which is not required. NYSPA reached out to the APA and Optum leadership and Optum agreed to have the issue corrected.

c) Mr. Stein reported that he was recently interviewed by the Wall Street Journal in connection with the new SAFE Act mental health reporting requirement.

d) Mr. Stein reported that NYSPA has been asked to submit an amicus curiae brief in connection with a pending Court of Appeals case questioning whether a warning of significant harm to self or others made by a psychiatrist works to abrogate the psychiatrist-patient privilege. NYSPA does not agree that the psychiatrist-patient privilege would be so abrogated and is preparing a brief to that effect.

16. Area II Trustee's Report – James Nininger, M.D.

Dr. Nininger provided an update on Board activities, including strategic planning, DSM, current Board workgroups, and the upcoming APA Advocacy Day. He also reported that the APA has established a new staff position focused solely on issues affecting resident, fellow and early career psychiatrists as well as a new Global Psychiatry Council on International Issues with the hopes of increasing membership participation in other countries.

17. Psychiatry and the Law Committee

Dr. Martin shared an email that he received from Richard Rosner, M.D., Chair of the Committee. Dr. Rosner's email stated that the Committee discussed its concerns regarding a proposed conversion therapy bill. While the Committee supports the intent of the legislation, it remains concerned about potential intrusion into psychiatric practice and in the psychiatrist/patient relationship.

18. Economic Affairs – L. Mark Russakoff, M.D.

Dr. Russakoff reported that the Committee discussed proposed revisions to the Local Coverage Determination for Transcranial Magnetic Stimulation, CPT coding and negotiation of in-network fee schedules, particularly in underserved areas.

19. Early Career Psychiatrists - Anil Thomas, M.D.

Dr. Thomas reported that the Committee hopes to continue to reach out to new members and is planning a joint ECP/MIT event on December 12, 2013 on maintenance of certification. Carol Bernstein, M.D., APA Past President will be speaking and CME is expected to be available.

20. Members-in-Training – Kendra Campbell, M.D.

Dr. Campbell announced that the Committee discussed: (i) improving communications, either by utilizing listservs or an online forum on the NYSPA website and (ii) establishing a NYSPA liaison at each training program. The Council discussed efforts to increase APA membership among residents and fellows.

21. Presidents and Presidents-Elect – Julie Schulman, M.D.

Dr. Schulman reported that six district branches were represented at the Committee meeting earlier today. The Committee continues to support an increased travel stipend for upstate Presidents and Presidents-Elect to encourage meeting attendance. In addition, the Committee discussed ways to improve communication and connections between NYSPA and its upstate district branches.

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

Dr. Cross reported that the Committee discussed the NYSPA website and suggested a section on media contact information as well as a section for patients and family members. Dr. Cross noted that nine of the NYSPA district branches have designated a Public Affairs Representative.

23. Dr. Martin encouraged all Committee Chairs to provide NYSPA Central Office with minutes or action items from today's meetings so relevant information can be posted on the NYSPA website.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Richard Altesman, M.D., Secretary





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### MINUTES OF THE MEETING OF THE EXECUTIVE COMMITTEE February 11, 2014 Meeting by Conference Call

#### PRESENT:

GLENN MARTIN, M.D., President  
SEETH VIVEK, M.D., Vice-President  
JEFFREY BORENSTEIN, M.D., Treasurer  
DEBORAH CROSS, M.D., Past President  
JAMES NININGER, M.D., Area II Trustee  
BARRY PERLMAN, M.D., Chair, Committee on Legislation  
RICHARD GALLO, Legislative Consultant  
JAMIE PAPAPETROS, Legislative Staff  
SETH P. STEIN, ESQ., Executive Director  
RACHEL FERNBACH, ESQ., Associate Director  
DONNA GAJDA, NYSPA Coordinator

Dr. Martin called the meeting to order. The following issues were discussed:

1. Dues Update. The Committee reviewed a dues revenue comparison for the months of October through February for the 2011-2014 dues years.
2. Albany Report. Mr. Gallo updated the Committee on the 2014-15 Executive Budget Proposal and Article VII Bills.

Regional Centers of Excellence. Mr. Gallo reported that there will be no closures this year. Buffalo will consolidate 36 beds from the children's unit in the Buffalo Psychiatric Center. Sagamore will have a two ward reduction. Savings are expected to be reinvested into community services in the affected areas.

Veterans' Mental Health Grant. Mr. Gallo stated that the Executive Budget re-appropriates \$165,000 for the Veterans' Mental Health Primary Care Training Initiative Grant. Mr. Gallo will apply for an additional \$165,000 next year on behalf of NYSPA.

Nurse Practitioners Scope of Practice. The Nurse Practitioners Modernization Act would allow nurse practitioners that have been in practice for greater than 3600 hours to maintain collaborative relationships with physicians in lieu of a written practice agreement.

Corporate Practice. Mr. Gallo reported that the Budget allows for establishment of limited service clinics in retail establishments.

Out of Network Insurance Reform. Mr. Gallo reported on proposed insurance reforms aimed at protecting consumers from unexpected bills from out-of-network providers.

Provider Prevails. The Committee discussed potential problems that could arise as a result of proposed amendments to Prescriber Prevails for atypical antipsychotics and antidepressants for Medicaid managed care.

Raising Age of Criminal Responsibility from 16 to 18 Years of Age. Mr. Stein reported that the Committees on Psychiatry and the Law and Child and Adolescent Psychiatry have both agreed that NYSPA should support a bill that would raise the age of criminal responsibility from 16 to 18 years of age.

3. Conversion Therapy Position Statement. The Executive Committee Approved the final revisions to the Memorandum in Support with Recommendations for Bill A-6983a (AN ACT to amend the education law, in relation to prohibiting mental health professionals from engaging in sexual orientation change efforts with a patient under the age of eighteen years and expanding the definition of professional misconduct with respect to mental health professionals).

4. Parity Update. Mr. Stein reported that OPTUM has denied claims submitted in New York stating that psychotherapy time needed to be separately documented. After consultation with APA and OPTUM, it is likely that documentation requirements will be changed to include psychotherapy time.

Mr. Stein reported that Medicare sent out a Medicare Learning Network article stating that when using combo codes, psychiatrists need to document the time spent providing the E&M service. The article has since been rescinded in response to a phone call from the APA.

5. Agenda Items for Meeting with the Commissioner. NYSPA will meet with Acting Commissioner Ann Marie Sullivan, M.D. at 3:00 PM on Friday, March 7, 2014 at the New York City Field Office on Fifth Avenue. Mr. Stein asked that members of the Executive Committee forward suggested items to the NYSPA central office for inclusion on the agenda.

6. RFM Deputy Representative Election. The Committee reviewed and approved the nominees for the upcoming election. There are four nominees for 2014; Subhash Chandra, M.D. from Downstate Medical Center; Eve Kellner, D.O. from Westchester Medical Center, and Geetanjali Sahu, M.D. from Maimonides Medical Center.

7. Conflict of Interest Policy. Mr. Stein reported that a spreadsheet of the NYSPA Conflict of Interest responses has been posted in the members' section of the NYSPA website. Dr. Martin requested that the spreadsheet be moved from the NYSPA documents to the Members' section of the website.

8. NYSPA Website and Email Data. The Committee reviewed statistical information regarding website hits and open rates for our Constant Contact emails.

9. Spring 2014 NYSPA/Area II Council Meeting. The Council reviewed a draft agenda for the Spring 2014 NYSPA/Area II Council meeting to be held on Saturday, March 22<sup>nd</sup> at the LaGuardia Marriott. Mr. Stein reported that Kathy Dunphy, Director of Congressional Affairs from National Government Services Medicare will join Ms. Fernbach in presenting a program on PQRS to be held at 11:00 AM during the Council meeting. A limited number of seats will be available for members who would like to attend the presentation.

There being no further business, the meeting was adjourned.

<b>New York State Psychiatric Association Financial Statement</b>			
	Jan-Dec, 2013	Jan-Dec, 2012	Jan-Dec, 2011
<b>Opening Fund Balance</b>	384,746.24	401,304.17	475,716.11
<b>Income</b>			
Dues			
Prior Years	87.50	1,228.25	406.50
Immediate Prior Year	12,907.27	12,769.45	13,021.57
Current Year	291,676.58	262,264.47	206,680.83
Following Year	75,318.25	110,772.48	130,510.76
<b>Total Dues</b>	<b>379,814.60</b>	<b>387,034.65</b>	<b>350,619.66</b>
Bulletin Income		11,535.00	90.00
CPT Training Income		17,750.00	
APA Meeting Block Grant	31,000.00	31,000.00	31,000.00
APA Competitive Grant	10,000.00		
Council Meeting Grant (PRMS)	1,500.00	1,500.00	1,500.00
Council Meeting Grant (MOO)			2,000.00
Council Meeting Grant (APA, Inc.)	3,720.00		2,500.00
ECP Meet and Greet Grant (PRMS)	2,100.00	1,000.00	1,000.00
APA Grant for Trainings	2,500.00		
CPT Training Income	4,000.00		
DSM-5 Training Income	1,000.00		
I-STOP Training Income	2,500.00		
PRMS Sponsorship	20,000.00		
Miscellaneous Income	200.00		
Interest	780.97	976.24	2,056.17
<b>Total</b>	<b>459,115.57</b>	<b>450,795.89</b>	<b>390,765.83</b>
<b>Expenses</b>			
Awards	416.48		
Bulletin		6,496.01	9,445.43
CME Expenses	373.75		
Committees		300.00	
CPT Training Expenses	6,200.60		
DSM-5 Training Expenses	399.00		
Officers/Delegates	534.51	1,532.24	2,636.03
D&O/Liability Insurance	2,679.09	2,299.00	2,263.00
Email Expenses	643.06	940.99	634.55
Exec Dir/Legal/Central Office	285,000.00	279,999.96	273,999.96
Journal Ads	3,000.00		1,500.00
Legislative	141,653.04	140,250.00	142,832.77
Meeting Expenses	31,490.03	32,546.21	28,458.76
MSSNY HOD Meeting Expenses	495.07		
MIT/ECP Dinner Meeting	2,973.00		
MIT Movie Night			200.00
ECP Meet and Greet		1,257.20	1,127.50
MIT/ECP CME Program		400.00	
NYS Corp. Tax	250.00	250.00	500.00
Scientific Paper Contest	889.76	871.31	952.83
Webinar Expenses	1,197.00		
Website	5,551.53		
Miscellaneous	115.00	210.90	626.94
<b>Total Expenses</b>	<b>483,860.92</b>	<b>467,353.82</b>	<b>465,177.77</b>
<b>Surplus/Deficit</b>	<b>-24,745.35</b>	<b>-16,557.93</b>	<b>-74,411.94</b>
<b>Fund Balance</b>			
Checking Account	30,298.25	778.49	18,227.77
Investment Funds	329,702.64	383,967.75	383,076.40
<b>Closing Balance</b>	<b>360,000.89</b>	<b>384,746.24</b>	<b>401,304.17</b>

<b>Dues Income</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>End of Year Total</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>Total through March</b>
<b>2010-2011</b>	14,605	91,371	44,838	<b>150,815</b>	69,101	43,637	17,573	<b>281,125</b>
<b>2011-2012</b>	15,190	83,220	41,693	<b>140,103</b>	70,981	58,092	18,316	<b>287,492</b>
<b>2012-2013</b>	14,636	74,259	38,841	<b>127,736</b>	72,562	53,114	23,731	<b>277,143</b>
<b>2013-2014</b>	11,924	75,397	41,955	<b>129,275</b>	85,030	37,253	25,768	<b>277,326</b>

## NEW YORK STATE PSYCHIATRIC ASSOCIATION - 2014 BUDGET PROPOSAL

EXPENSES	2012 BUDGET	2012 ACTUAL	2013 BUDGET	2013 PROJECTED	2014 BUDGET PROPOSAL
Officers/Delegates	2,500	1,532	2,500	2,000	2,500
The BULLETIN (Expenses net of Income)	9,000	-5,039	0	0	0
Government Relations	140,250	140,250	141,653	141,653	141,653
Public Affairs	400	0	0	0	0
All Committees	0	300	300	300	300
Exec. Dir./Legal/Central Office	280,000	280,000	285,000	285,000	285,000
NYSPA Meetings	25,000	27,876	25,000	32,000	32,000
Insurance	2,350	2,299	2,350	2,679	2,700
MIT/ECP Meetings	500	1,657	1,000	4,000	3,200
Scientific Paper Contest	1,000	871	1,000	900	900
Website Implementation	0	0	0	3,020	0
Website Maintenance	0	0	5,900	3,520	3,840
<b>SUBTOTAL</b>	<b>461,000</b>	<b>449,746</b>	<b>464,703</b>	<b>475,072</b>	<b>472,093</b>
Contingency/Non-recurring	1,000	1,307	1,000	0	1,000
<b>TOTAL</b>	<b>462,000</b>	<b>451,053</b>	<b>465,703</b>	<b>475,072</b>	<b>473,093</b>
<b>INCOME</b>					
Dues Collections	420,000	387,035	400,000	395,000	395,000
Interest	4,000	998	1,000	1,000	1,000
APA Assembly Meeting Grant	31,000	31,000	31,000	31,000	31,000
Training Income	0	17,750	1,000	6,750	3,000
Website/Grant Income	2,000	1,000	30,000	29,000	26,000
<b>TOTAL</b>	<b>457,000</b>	<b>437,783</b>	<b>463,000</b>	<b>462,750</b>	<b>456,000</b>
<b>SURPLUS/LOSS</b>	<b>-5,000</b>	<b>-13,270</b>	<b>-2,703</b>	<b>-12,322</b>	<b>-17,093</b>
<b>DUES / MEMBER</b>	<b>165</b>		<b>165</b>		<b>165</b>

<b>New York State Psychiatric Political Action Committee, Inc.</b>			
<b>Financial Statement</b>			
	Jan-Mar, 2014	Jan-Mar, 2013	Jan-Mar, 2012
<b>Opening Balance</b>	<b>3,921.71</b>	<b>3,618.87</b>	<b>2,424.78</b>
<b>Receipts</b>			
Contributions First Solicitation	18,458.00	20,075.00	6,470.00
APA Contributions	2,420.00	1,270.00	1,770.00
<b>Total Contributions</b>	<b>20,878.00</b>	<b>21,345.00</b>	<b>8,240.00</b>
<b>Disbursements</b>			
Andrew Cuomo 2014		3,000.00	
Friends of Dean Skelos	1,000.00	1,000.00	1,000.00
Citizens for Hannon	1,000.00	1,000.00	
NYS Senate Republican Campaign Committee	2,000.00	2,000.00	
Friends of Silver	1,000.00		1,000.00
Democratic Assembly Campaign Committee	2,000.00	2,000.00	
Friends of Senator Libous	1,500.00	1,500.00	1,500.00
Republican Assembly Campaign Committee	500.00		
Friends of Andrea Stewart-Cousins	500.00		
Jeff Klein for New York	500.00	500.00	
Friends of Toby Ann Stavisky	500.00		
Friends of Felix Ortiz		750.00	1,500.00
Citizens Committee to Re-Elect Ken LaValle	500.00	300.00	
Latimer for Senate	250.00	250.00	
Citizens for Larkin	500.00		
Friends of Patricia Fahy	200.00		
New Yorkers on the Ball	500.00		
David Carlucci for New York	2,000.00	1,750.00	
Friends of Seward	500.00		
Friends of Kevin Cahill	500.00		
Friends of David Weprin	250.00		
Committee to Elect McDonald to Senate			1,000.00
<b>Total Donations</b>	<b>15,700.00</b>	<b>14,050.00</b>	<b>6,000.00</b>
Bank Fees	311.91	345.22	95.04
PAC Solicitation Mailing		2,747.67	
<b>Total Disbursements</b>		<b>17,142.89</b>	<b>6,095.04</b>
<b>Fund Balance</b>	<b>24,799.71</b>	<b>7,820.98</b>	<b>4,569.74</b>
<b>Total Number of Contributors</b>	<b>155</b>	<b>138</b>	<b>70</b>



# New York State Psychiatric Association, Inc.

Area II Council of the American Psychiatric Association  
400 Garden City Plaza, Garden City, New York 11530 • (516) 542-0077

## MEMORANDUM

**DATE:** October 26, 2013  
**TO:** NYSPA Council, DB Presidents and Staff  
**FROM:** Aaron Satloff, M.D., Chair Budget Committee  
**SUBJECT:** Proposed NYSPA Year 2014 Budget

Attached is a proposed 2014 budget for your review. This budget will be on the agenda for the approval on Saturday, March 22, 2014.

## KEY POINTS

The 2014 budget proposal projects approximately a 1.5% decrease in revenue and a .5% increase in expenditures that yields a projected deficit of \$17,093, or a deficit of 3.6%.

Reviewing line items in the budget proposal:

### EXPENSES

Officers/Delegates: This item reflects the cost of the Executive Committee meetings and the cost of transportation to attend Executive Committee meetings. NYSPA no longer reimburses the cost of attendance for the Area II Rep and Dep Rep at the Spring APA meeting.

Bulletin: This line item has been removed since hard copies of the Bulletin will now be replaced with the new website and E-Bulletins.

Government Relations: The budget request from the Legislation Committee proposes that Mr. Gallo's retainer for 2014 remain flat. Mr. Gallo's expenses will be paid by the PAC.

Public Affairs: Since there have been no expenses attributed to Public Affairs since prior to the 2010 fiscal year, this line item has been eliminated.

All Committees: This allocation remains unchanged.

Exec Dir/Legal/Central Office: This line item remains unchanged from the 2013 budget.

NYSPA Meetings: The budget includes the \$31,000 Assembly Block Grant that will fund the meeting and travel expenses approved by the Council.



**Contingency:** Our contingency reserve remains unchanged.

**Website:** A line item for the NYSPA website has been added to the budget. It is expected that the website will cost approximately \$3,840 to maintain in 2014.

### **INCOME**

**Dues Collection:** Although there has been a decline in membership over the last few years, it appears that there has been a slight increase in membership in 2013. We expect this increase in membership will, therefore, help to stabilize our dues income which had been steadily declining.

**Interest:** We have faced a precipitous drop in income due to a drop in interest rates. We project that interest income will remain flat in 2014.

**APA Assembly Meeting Grant:** This budget assumes that NYSPA will continue to receive a block grant of \$31,000 to support the cost of Area II Council meetings in New York.

**Website/Grant Income:** This budget includes projected income from NYSPA website sponsorship and grants to support NYSPA activities in 2014.

**Conclusion:** The 2014 budget proposal yields an operating deficit of \$17,093.

**2014 Contributors to the  
New York State Psychiatric Political Action Committee, Inc.  
As of March 22, 2014**

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(\$250.00 or more)**

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## Report of Office of Executive Director Major Activities

### October 2013

- Prepared and submitted 32-Day Pre-General Board of Elections Filing
- I-Stop Update Webinar
- Work with APA staff to ensure proper reimbursement of new CPT combination psychotherapy codes by Optum
- Prepared and submitted 11 Day Pre-Primary Board of Elections Filing
- PQRS 2013 Webinar
- Extensive communication with members regarding implementation of new I-Stop program and Duty to Consult
- Prepared NYSPA financial report for January through September 2013
- Provide NYC DB's with information on proposed new rule regarding mandatory reporting for first episode psychosis.
- Prepared PAC financial report for January through September 2013
- Prepared and attended the Fall 2013 Area II Council Meeting

### November 2013

- NYS Justice Center Webinar
- Attended the APA Assembly meeting
- Letter to Empire BC/BS to follow-up on double copay issue
- Participated in Webinar – Transitioning from ICD-9 to ICD-10-CM
- Participated in Webinar – Streamlined Access to PECOS, EHR & NPES
- Prepared and filed applications for CME for December 16<sup>th</sup> ECP/RFM meeting on MOC at Bellevue HospitalS
- E-Bulletin: Update on NYSPA's Class Action Lawsuit Against United Healthcare
- E-Bulletin: Mental Health Parity and Addiction Equity Act – Final Rule Issued
- Prepared and filed CME application for CPT coding webinar
- Participated in Webinar – Sunshine Act

### December 2013

- Prepared and submitted 27 Post-General Board of Elections filing
- Participated in MSSNY Advocacy Matters webinar on I-Stop
- Participated in Webinar – 2014 Physician Fee Schedule Final Rule: Quality Reporting 2014
- E-Bulletin: CMS Announces 2014 RVU Values Substantially Increased for Psychotherapy Add-On Codes
- Participate in APA Parity Summit
- CPT and Medical Necessity Webinar
- Participated in Webinar – Administrative Simplification Operating Rules – CME eHealth
- Draft Position Statement on OMH Centers of Excellence state hospital reorganization plan
- Letter to Greg Allen at DOH on concerns regarding implementation prescriber prevails

- Draft PAC letter focusing on psychologists prescribing in New York State
- E-Bulletin: SGR Fix for 2014 Medicare Part B Fees
- E-Bulletin: Governor's Office Announces Delayed Implementation of Regional Centers of Excellence Plan

### January 2014

- Conference call with Optum Health and APA staff regarding documentation of new combination codes
- Draft memo in support of pending legislation regarding sexual orientation change efforts in minors
- Conference call with Saul Levin, APA CEO, regarding EHR, coding issues and medical record templates
- Participated in Webinar – CMS 2014 Physician Quality Reporting System (PQRS)
- E-Bulletin: Psychologists to Pursue Prescribing Authority in New York
- E-Bulletin: NYS Justice Center Seeks Nominees for New Medical Review Board
- Prepared 2014 Medicare Fee Schedules
- E-Bulletin: 2014 Medicare Fee Schedules
- Prepare and mail RFM election ballots
- Participated in Webinar – CMS 2014 Value Modifiers
- Prepared for and participated in Executive Committee Meeting Conference Call
- Prepared and submitted January 2014 Board of Elections filing
- Prepared and filed Client Semi-Annual Lobbying Report
- E-Bulletin: Draft Practice Guidelines – Initial Psychiatric Evaluation Available for Review on the APA Website
- Participated in Webinar – 2014 ICD-10
- Participated in APA district branch monthly marketing meeting conference call
- Participated in Webinar – CMS 2014 Stage 2 Meaningful Use
- Prepared and filed form 8872 with IRS

### February 2014

- Draft follow-up letter to CMS on SAFE Act and intersection with HIPAA
- Prepared and sent PAC solicitation to members
- Participated in Webinar – Part B Overview of changes to the CMS 1500 claim form
- Draft letter to Governor Cuomo and Attorney General Schneiderman regarding new Value Options prior authorization imposed on psychotherapy benefits under the Empire Plan
- Prepare complaint to CMS regarding new Value Options prior authorization imposed on psychotherapy benefits under the Empire Plan
- File complaint with DFS regarding POMCO's treatment plan requirement for outpatient alcohol and substance abuse services
- File complaint with DFS regarding union plans failure to comply with federal parity law
- Prepared for and participated in Executive Committee meeting conference call
- Participate in Optum provider webinar on payment integrity and documentation of psychotherapy services

- Participated in Webinar – CMS-ICD-10 readiness
- Participated in Webinar – Guide to Jumpstart your ICD-10 Compliance Efforts
- Participated in Webinar – Last Chance to Avoid the PQRS Penalty for the 2013 Program
- Completed and filed 1096 & 1099 forms with IRS
- Participated in APA district branch monthly marketing meeting conference call
- Multiple phone conversations and e-mail correspondence with APA staff and Optum representatives regarding time and documentation of psychotherapy
- Draft memo to APA RBRVS Committee regarding requirements for documentation of new psychotherapy combination codes

### **March 2014**

- Conference call with Elizabeth Martin at Optum regarding combination code documentation
- Meeting with Acting OMH Commissioner Ann Sullivan, M.D.
- Prepared and file form 1120 POL with IRS
- Participated in Webinar – PQRS: Reporting Across Medicare Quality Reporting Programs in 2014
- Multiple correspondence and communication with members regarding new Value Options prior authorization requirements for psychotherapy services under the Empire Plan
- Telephone conversation with Attorney General's Health Care Bureau, regarding Value Options new prior authorization requirement for psychotherapy services provided under the Empire Plan
- Correspondence with Value Options regarding denial of E/M and psychotherapy claims for treatment of individuals with opioid dependence.
- Correspondence with Empire BC/BS regarding its failure to provide coverage for Suboxone
- Correspondence with Empire BC/BS regarding continued charging of double co-pays for combination psychotherapy CPT codes

# New York State Psychiatric Association, Inc.

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## AREA II COUNCIL SPRING MEETING LAGUARDIA MARRIOTT HOTEL ELMHURST, NEW YORK

SATURDAY, MARCH 22, 2014

### LEGISLATIVE REPORT

*BARRY PERLMAN, M.D., CHAIR OF COMMITTEE ON LEGISLATION*

PREPARED BY:  
RICHARD J. GALLO  
JAMIE PAPAPETROS

#### I. CORPORATE PRACTICE

As the State and others push for integrated care and care coordination, the issues pertaining to the changing the laws governing the corporate practice of a profession keep surfacing in one form or another.

Once again, NYSPA faces legislation:

- (1) A.801/S.3481 authorizing psychologists and non-psychiatrist physicians to form limited liability companies, professional corporations and partnerships with one another.
- (2) A.3910 authorizing licensed clinical social workers, licensed creative arts therapists, licensed marriage and family therapists, licensed mental health counselors and licensed psychoanalysts to form a single corporate structure.
- (3) There are also other bills, including one to authorize ophthalmologists, optometrists, and ophthalmic dispensers to join together to own and operate a single professional practice, the other to permit chiropractors and physicians to go into business with each other.

The question is whether or not medicine is best served by maintaining the laws requiring licensed professionals to be in practice only with licensees in the same profession. The time has come for a thorough discussion of the issue.

*Motion for Adoption: The Committee on Legislation recommends NYSPA form an Ad Hoc Task Force on Corporate Practice to examine the issue and analyze if any changes in the statutes regarding the corporate practice of professions are warranted.*

#### II. MENTAL HEALTH PARITY

For the second time this year already, Attorney General Eric Schneiderman has taken action against major insurers regarding mental health parity violations. In the most recent action, the Attorney General announced a settlement with MVP Health Care, a Schenectady-based insurer, resulting in a \$300,000 civil penalty and an independent review of claims or requests denied on the grounds of not being medically necessary from 2011 to present, which could total more than \$6 million. MVP Health Care, which contracts with Value Options to manage behavioral health benefits, also agreed to the following (as stated by the Attorney General):