



FLORIDA CHAPTER NEWS

Chapter Mission: "Protecting Freedom and Choice in the Practice of Medicine"

Fall 2017

SPECIAL MOC ISSUE - FIGHT OR KEEP LOSING!

DEFEATING MOC IS IN YOUR HANDS ALONE.

You want to stop MOC. The FMA will try to stop you. The Hospitals and insurance companies also want to keep you under the MOC thumb – they will try to stop you. The Government and politicians like having more controls on you and your practice – they too will try to stop you. So what to do?


Fight. There is only one way that you are going to pass laws that neutralize MOC in your state. You, the doctor, the busy practitioner, the over-worked, over-regulated, tired, discouraged and just fed-up doctor – YOU, are going to have to fight for your practice. No one else is going to do it for you, in fact, you will have many opponents on the battlefield.

If you don't want to fight, then just sit back and take it - and watch MOC grow. Watch as it transforms to "continuous certification", as every move you make in your daily practice is fed via computer tracking to boards, regulators and bureaucrats looking to make sure you meet their so-called "best practices". Don't fight, and instead spend your nights entering more data into computers as you see more and more patients while you earn less and less revenue. Don't fight and instead beg for your board to take your late submission for the latest hoop they made you jump through. Then send them another check.

Just sit there. And take it.

Or fight..

It is in your hands. If you want to fight to stop MOC in the state of Florida, the Florida Chapter of the AAPS is there to help you and lead the way. But we are but a few volunteer doctors with a shoestring budget and busy practices of our own. We have spent hundreds of hours lobbying, working, advocating, pushing and fighting in Tallahassee and elsewhere in the last year to fight MOC, and we made advances in the battle.

Yes, we got bills to stop mandated MOC in Florida moving through House committees and presented in the Senate. But the collaborators, conspirators, profiteers, duplicitous sycophants and others – the forces of darkness – won the day. They overwhelmed the battlefield and played the political game as they have done for decades. The weak-kneed politicians were only too happy to cave and stop our great efforts to stop mandatory MOC in Florida. Will you fight for your practice? Or will you just sit there and take it. The choice is yours. 

We do have another chance. We placed a beachhead on the shores, advanced up the land, and got driven back to the beach. But we are still on the beachhead and we have more ammunition. We have the will to lead and fight. But we need reinforcements. We need doctors to overwhelm Tallahassee, to contribute money to our chapter, to let the FMA know they must not resist our efforts and to ask other allies to join the fight.

If you join the fight, we will defeat MOC. Charge!

David McKalip, M.D.
President, Florida Chapter.

INSIDE — HOW DID THE FMA BETRAY FLORIDA DOCTORS AND SAVE MOC?

THE NEXT MOC FIGHT—HB81 (GONZALES) JANUARY 9 —MARCH 9, 2018!

Dr. Julio Gonzales, AAPS member, Orthopedic Surgeon and State Representative from Venice has sponsored another bill to help us stop MOC in Florida.

The bill will ban Mandatory in Florida for

- **Medical License**
- **Hospital privileges**
- **Insurance contracting/Payment**

The Bill will have only two committee stops in the House, Committees that are likely to pass it.

The Battle will be in the Senate.

What can you do?

1. **Call/email your legislator**
2. **Go to Tallahassee or a district office to lobby Senators and representatives.** (Plan ahead - we will help train and schedule you).
3. **Contribute to Florida AAPS Chapter** (see inside for how funds will be used).
4. **Get your Specialty Society to Support this bill.**
5. **Accept no meaningful compromise.**

**INSIDE - ANNUAL AAPS MEETING AND GOLF TEAM SCRAMBLE.
KEYNOTE: STATE REP., DR. JULIO GONZALES • SATURDAY, JANUARY 27, 2018. TAMPA**



HOW ANTI-MOC BILL FAILED IN 2017

What happened in our state capitol with the MOC bill of 2017? The short version is that the FMA wrote, promoted and passed language in committee that deleted good anti-MOC legislation. They replaced it with a bill that would have made MOC more successful and more powerful in the state of Florida (we stopped it). Here are the key events.

•**2010-2017 FMA – AMA:** Token efforts to “appease the masses”. One of the most unifying issues for physicians since tort reform. Official Policy opposes mandatory MOC everywhere. Yet, no meaningful action taken.

•**2015 –** Future Florida AAPS Chapter President begins lobbying to find sponsor for Anti-MOC Bill. Hears: “Let’s wait for FMA. Let’s wait until it is a real problem” (e.g. mandatory licensure).

2015-2017 FMA does nothing to get a bill filed in Tallahassee against MOC.

February 2017—at the request of Florida AAPS chapter, Rep. Dr. Julio Gonzalez files HB723. Fla AAPS Chapter President secures Senate sponsor companion bill, SB 1354 (Brandes—later changed to Young).

HB 723 WOULD HAVE MADE IT ILLEGAL TO MANDATE MOC AS A CONDITION OF LICENSURE, FOR HOSPITAL PRIVILEGES OR TO PARTICIPATE IN AN INSURANCE PANEL.

•**Winter/Spring 2017 –** Intense Lobbying Campaign by FLA AAPS Chapter. (Thanks to members who assisted with emails/phone calls and VIS-ITS!)

March 2017– FMA Approaches Florida AAPS to support “compromise” language to “soften” the anti-MOC bill. They are politely told - “let’s stand up together and fight to stop MOC without dangerous Compromises”. FMA instead chooses to author “compromise” language that guts MOC bill.

March 15, 2017—House Health Care Quality Committee Approves HB723 (11 to 4). FIRST VICTORY!

April 3, 2017—Senate Health Policy Committee passes bad MOC bill 6-0.

- Accepts FMA CREATED AMENDMENT that DELETES ALL The original language of HB723/SB1354.
- Replaces it with new system to STRENGTHEN MOC!
- Accepts Hospital amendment that makes matters worse!

April 2017—Florida AAPS works to make sure the bad MOC bill dies so that the battle can continue in 2018.

•**August 23, 2017 - New House bill - HB 81 (Gonzalez) – bans Mandated MOC. Also HB 6007 allows doctors to advertise as Board certified even if does not do MOC, but were initially board certified.**

THE IDEAS BEHIND THE MOC SOLUTION - BANNING MANDATED MOC .

The chief construct of stopping MOC at the legislative level is to ban mandated MOC for licensure, medical staff privileges and insurance panel participation. Similar Language has become law in Oklahoma and partially in Texas.

Hospitals are increasingly requiring their medical staff members to do MOC. Employed doctors are most vulnerable as are those private doctors with call and other contracts with hospitals. The hospitals use the “board certified doctors” label (MOC version) to market their hospitals. In addition, hospitals seek to use MOC to impose so-called “quality improvement” training into the MOC process itself. (In fact they tried to insert that into Florida law this year). When doctors are indoctrinated through MOC to be dutifully compliant with the nonsensical “quality” regimens of regulators and governments, they are much easier to control - thereby cutting money spent on patient spending, promoting cookbook medicine and increasing hospital monetary gains. Insurance companies like it for similar reasons.

Denying the third parties the ability to require MOC will help to disable the board certifying bodies who then will have less of a captive audience to get wealthy off of your dollars.

To learn exactly how the Board Certifying entities are growing rich off your time and money—see the sidebar on the next page.

HOW YOUR FINANCIAL CONTRIBUTIONS TO THE FLORIDA AAPS WILL HELP IN THE 2018 ANTI-MOC FIGHT.

We need your money to help win for you in Tallahassee this year. Committees are meeting NOW, pre-session. The Session starts early this year, (1/9/18). Your contributions will do the following:

1. Allow us to hire staff to schedule numerous meetings with legislators to lobby them to pass HB81 (and senate companion). We will schedule YOU to see legislators during a capitol visit or in a district office.
2. Allow us to hire a professional consultant/lobbyist for several months to appear at committees, warn us when key votes are pending, and deal with amendments and other political gamesmanship.
3. Allow us to purchase a contract with a professional email/communication tool to allow doctors to email/call key committee members before votes to stop mandatory MOC in Florida.
4. Allow us to print fliers and handouts for the fight.

You can donate by sending a check payable to the

**Florida Chapter of the AAPS
1955 1st Ave. N., #101,
St. Petersburg, FL 33713**

ON BACK - HOW YOU CAN ACT, SHOW UP AND FIGHT TO STOP MOC.

HOW THE FMA BETRAYED DOCTORS ON MOC.

"The votes weren't there". Four votes on a 7 member committee - allegedly were not there. That was the word of the mighty FMA that routinely raises and spends millions from their PAC electing and supporting politicians. Poppycock!

The fact is, based on reliable AAPS sources, the votes WERE there in the Senate to pass the Anti-MOC bill. The ABMS was terrified and convinced they had lost yet another state battle (after Oklahoma passed a similar bill).

The real truth is that the FMA gave up for their own political reasons. Most likely this has to do with being seen as a credible political power player in Tallahassee - one that wouldn't embarrass politicians by asking them to take difficult stands that would offend other political power players, like the Hospitals and insurers.

So the FMA actually wrote a "strike all" amendment that removed ALL of the anti-MOC language in the senate version of HB723 (SB1354). In addition the FMA plan did the following:

1. Created a state-sanctioned agency to issue certificates to MOC Boards, granting them undeserved credibility.
2. Grants more power to state over MOC by allowing Boards of Medicine to determine what is "sufficient" administrative overhead and other factors to run MOC, effectively disabling other non-standard Boards like the National Board of Physicians and surgeons that operate outside the ABMS.
3. Placed a meaningless restriction that such a certified board could not "mandate" MOC. This is a complete political strawman since paying the Board to do MOC is a voluntary act for the doctor. This ignores the fact that doctors are being forced to "volunteer" for MOC by hospitals, states and insurers.

The hospitals then joined in the fun, capitalizing on the FMA's MOC blunder by getting this dangerous language inserted:

1. MOC must include "practice improvement programs". This indicates the hospitals want to use MOC as a means of further controlling medical practice.
2. Doctors may not advertise as board certified if they don't get certification from a "state approved" MOC body!

The FMA should have stood strong and not given the politicians wiggle room on this by creating a phony "solution".

Fortunately, the Florida AAPS quickly got this bad MOC bill killed in Tallahassee so we could live to fight another day.

In addition, many legislators were made aware of and educated on the issue. They are now ready to hear from you, the fighters who will defeat mandatory MOC here.

THE TRUTH ABOUT THE BOARD CERTIFYING ENTITIES. A TALE OF UNEARNED PROFITS, CORRUPTION AND INSOLVENCY.

\$164,000 PER DAY - The daily compensation for Executives of the ABMS and 24 specialty boards combined.

\$43,200 PER DAY - The daily retirement pay for ABMS and combined specialty boards!

Total annual Compensation - Officer, Director and key employee compensation of Various Boards/related organizations. (2015, rounded): **ABMS \$3.9 million**; ABAI \$275K; ABA \$1.4 million; ABCRS \$100K; ABD \$334K; ABEM \$2.1 Million; **ABFM \$2.9 million**; **ABIM \$5.8 million**; ABNS \$224K; ABNM \$170K; **ABOG \$3.7 million**; ABOpht \$1.3 million; ABOS \$687K; ABOtol \$485K; ABPath \$557K; **ABPed \$5.9 Million**; ABPMR \$883K; ABPS \$541K; ABPM \$270K; **ABPsyNeuro \$3 million**; **ABRad \$2.4 million**; **ABSurg \$3.1 million** ABTS \$601K; ABU \$380K.

Specialty Boards, and their overseer the American Board of Medical Specialties (ABMS) makes tens of millions every year on the MOC racket. Doctors are forced to spend thousands of dollars, jump through pointless hoops, take ridiculous tests, pay for an enormous, inflated amount of CME (enriching their co-dependents the specialty societies). The hard earned dollars of doctors, lost practice time and cost of compliance all go directly to these specialty boards.

At the Florida Senate Health Policy Committee, the CEO of the Tampa-based **American Board of Pathology** testified against the anti-MOC bill. **Dr. Rebecca Johnson takes home \$557,000 annually** in pay and benefits and will have a good retirement plan when she leaves. The Board of Pathology has \$15.5 million in assets. They are the little fish. **The ABIM has \$74.9 million in tax-exempt assets! ABFM has \$31 million, ABPed \$4.1 million, and ABOG \$6.8 million in tax-exempt assets!** These Boards are raking in your money off your blood sweat and tears.

ABIM was found to have a \$6.5 million offshore account in the Caymans, a high-end condo with a chauffeured Mercedes limo in Philadelphia and is now facing insolvency due to employee and retirement benefits outpacing revenues—even with **\$56.6 Million in annual revenues (2014)**. This would leave millions of pre-paid ABIM member fees for future MOC unserved if ABIM collapses. Thus doctors pay in advance for MOC, but ABMS insolvency would threaten promised future services.

Consider these numbers as you decide if you will fight to stop MOC in Florida. The \$1 Billion MOC Swamp Monster

\$750 million! - Combined ABMS and 24 member board Assets (90% is Cash & Equity)

\$125 million! - Retirement funds combined value.

\$125 million! - Funds in related organizations (foundations etc.).

\$??,??? - AMOUNT OF MONEY YOU WASTE AND MONEY YOU LOSE WHILE DOING MEANINGLESS MOC.

HOW TO BE A SOLDIER IN THE ANTI-MOC FIGHT

So what now? You've decided to join the fight, rather than just sitting there and taking it. You've decided that you want to pitch in to help save the profession, rather than just hoping that others will do it for you. You have decided that the FMA won't save you from MOC—they actually are working to preserve it!

Since you have decided to fight, here is what you can do.

1. Sign up to go to Tallahassee and meet legislators to get them to pass HB81 and the Senate companion we will work to get.
2. Go to a district office of your senator or representative. Ask them to help pass HB81 and/or to get a companion bill in the senate.
3. Call and email state reps and senators when votes are pending to remind them how to vote!
4. Call your specialty society and insist that they do not compromise on HB81.

The Florida AAPS chapter will help. We will..

- Schedule visits for you if you agree to go to Tallahassee.
- Provide single page talking point sheets and leave behind literature.
- Help train you on successful interaction with legislators and effective committee testimony techniques.
- Help you find the key contacts in your specialty society so you can get them working for you.
- Ensure your donations are well spent to further the fight to stop mandatory MOC in Florida.

You can testify in committee if you want, but the dates and times are usually not announced until several days ahead. Thus, we will ask you to commit to visiting legislators before committee meetings to ensure they will vote properly and then we will have people to testify on your behalf at committee. Of course, we would welcome your testimony at any committee.

If you want to volunteer, please email Chapter President Dr. David McKalip at dmckalip@neuro3.net

**Go to Florida AAPS MOC ACTION Center to sign up to email/call/visit to stop MOC in Florida!
FLAAPS.ORG**

YOUR DONATIONS NEEDED TO STOP MOC

Fighting to win for you in Tallahassee is a labor intensive process. Last year, volunteer doctors cancelled clinic time and spent hundreds of hours lobbying on your behalf. We need professional assistance to win this fight and your donation will help.

Please go to FLAAPS.ORG to donate to stop MOC!

You can also donate by sending a check payable to the: Florida Chapter of the AAPS, 1955 1st Ave. N., #101, St. Petersburg, FL 33713



Annual State Chapter Meeting & Fun & Sun Golf Team Scramble

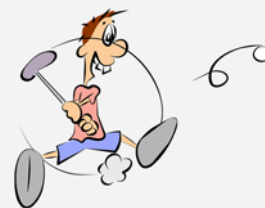
Rocky Point Golf Course, Tampa, FL

Adjacent to Tampa Airport Fly-in/Fly-out or stay the weekend!

Florida Chapter bylaws require an annual meeting to conduct business and elect Board members and officers. The next meeting will occur in Tampa, FL on a Saturday in January 27, 2018.

KEYNOTE SPEAKER: STATE REP. DR. JULIO GONZALES

Members can hear an update on all Chapter business, give feedback to the board, learn how the MOC fight is proceeding. You can enjoy fellowship with doctors who place patients first and understand the true value of our profession to society.



In addition, there will be a casual, fun, scramble style golf tournament to raise funds for our chapter that will hopefully be a tradition to carry on for years.

Stay tuned at FLAAPS.ORG for info!

Florida Chapter Board

President, David McKalip, M.D., St. Petersburg
Vice-President, Joseph Gauta, M.D., Naples
Secretary, Caryl Hyland, M.D., Pensacola
Treasurer, Gigi Lefebvre, M.D., St. Petersburg
Board members (one year Term): Mirand Sharma, M.D., Celebration; Jim Coy, M.D. Fruitland
Board members (two year Term): Patrick Abuzeni, M.D., Miami; Larry Gorfine, M.D., Lake Worth
Board members (three year Term): Lee Alice Goscin, M.D., Clearwater, John Littell, M.D., Ocala

Florida Chapter Leadership Opportunities, Committees

The Florida chapter needs you to help us grow and best represent physicians in Florida. Committees will be forming to help on issues like legislation, public advocacy and chapter growth. No experience is needed! Please contact Chapter President David McKalip at dmckalip@neuro3.net