



Westchester Physician

October 2013

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President's Message

Patients & Politics

Are health care and politics related topics? You bet they are. As I write this article our nation is in the middle of a government shutdown that is part of a political action aimed at derailing the Patient Protection and Affordable Care Act. Has this directly affected me? Not yet. However, one of the fellows in my Hematology and Medical Oncology training program just relocated to Maryland for a rotation at the National Cancer Institute, only to find it shut down.

“Physicians have knowledge & experience about matters of health and an obligation to use that for the good of society.”

I have strong views about the politics of health care policy. I feel that as a physician, especially one in a leadership position, I have an obligation to use my expertise to serve the public good. I also have that precious American right to free speech. Should I therefore feel free to share my political opinions in the examination or consultation room? Common office etiquette suggests that I should not initiate such conversation. However, a patient may initiate such a conversation with questions. In that situation some physicians choose to deflect the question. I prefer not to do that. My approach is to wear a pin on the lapel of my white coat that reads “Health Care is a Human Right,” and respond to questions about it. Other physicians may have chosen to have a tent card at their registration desk that might say “Ask Me About Tort Reform,” or some other topic.

We physicians have knowledge and experience about matters of health and an obligation to use that for the good of society. We should feel free to express our views within the bounds of office etiquette and an obligation to use our medical societies to bring our expertise to the public and its elected officials. ♦



Robert G. Lerner, MD
President, WCMS

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UPCOMING EVENTS

CME Committee
Monday, November 4th—4 PM

Board of Directors
Thursday, November 7th—6 PM

Annual Holiday Party
Friday, December 13th—6:00 PM
Knollwood Country Club, Elmsford

WESTCHESTER PHYSICIAN

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FROM THE EDITOR...**QUOTIDIAN MEDICINE****PETER J. ACKER, MD**

I'm sure I'm not the only pediatrician or physician of any other specialty for that matter, who feels discouraged at times when our advice and counsel seemingly fall on deaf ears. Our major charge, of course, is to affect in a positive way the health of our patients. Occasionally it comes in the form of dramatic encounters in which we pick up subtle clues of a serious impending illness and via rapid interventions achieve a cure. I vividly remember when more than 16 years ago, I diagnosed an infant with meningitis at a very early stage and what could have been a disaster was averted. I mention this not to brag about my diagnostic acumen, but to make the point that these sorts of events in a pediatric career are extremely rare but quite memorable. I would argue, though, that far more important than the heroics are the more quotidian visits in which we patiently counsel patients on diet, exercise, and vaccination, to just name a few of many. It is of this that I refer to when speaking of discouragement.

“So you want me to immunize my child for the public good?!”

Take diet for example. At every checkup, I make earnest inquiries into the eating habits and talk about the importance of eating a variety of unprocessed foods like fresh fruits and vegetables. Yet my notes usually show that the previous visit's eating habits are still in full force. A common sight when I walk into the examining room is that of a toddler reaching into his mother's fanny pack and pulling out a fist full of goldfish crackers. I also ask about exercise and there is no question that many Westchester children and teens pursue vigorous organized exercise programs. Generally these tend to be engaged in by the more athletically inclined. There are huge numbers, however, who don't get the recommended 30 minutes or more on most days. The answer as to why not is partially evident whenever I look out of my window on a weekday morning. I live at the base of a dead-end street just where it meets a larger road. It is where all the children of the neighborhood congregate to wait for the school bus. But it is not the children I see, but instead it is a logjam of SUV's, engines idling, spewing greenhouse gases until the bus arrives. Then it is the bus's turn to idle while the kids slowly disengage themselves from their vehicles and amble ever so slowly towards the bus. The same scene plays out in reverse at the end of the school day. I remember as a child walking down the length of my dead-end street to the bus stop, and besides the exercise, I had the opportunity to socialize with the kids of the neighborhood.

(continued on page 5)



NEW YORK MEDICAL COLLEGE
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NEWS & NOTES

EDWARD C. HALPERIN, MD, MA **Chancellor & Chief Executive Officer**



This article is the first of a regular column designed to update Westchester physicians with news from NYMC. Since I have only met a few of you in my first year at NYMC, let's start by introducing myself.

Who I AM

I was an undergraduate at The Wharton School of the University of Pennsylvania where I received a BS in Economics. I received an MD from Yale University. At Yale a thesis is required for an MD, similar to the requirement for PhD at most universities. My thesis concerned the efficacy of therapy for cystinuria—an inherited disease of amino acid transport which causes kidney stones and corneal opacification. After graduation from Yale I was an intern in internal medicine at Stanford University Medical Center in Palo Alto, California, and a resident and chief resident in radiation oncology at the Massachusetts General Hospital of Harvard Medical School. For twenty-three years I was on the faculty at Duke University's School of Medicine, eventually becoming Professor and Chairman of the Department of Radiation Oncology and Vice Dean of the Medical School. While I was at Duke I attended graduate school during lunch hour and at night and received an MA degree. I then moved to Kentucky to become Dean of the School of Medicine at the University of Louisville for six years before moving to NYMC last year.

My medical specialty is pediatric radiation oncology—the treatment of children with cancer with radiation therapy. I am the author/editor of five editions of the textbook *Pediatric Radiation Oncology* and the fourth through sixth editions of the textbook *Principles and Practice of Radiation Oncology*. I have also written about 200 articles in the medical, medical ethics, and medical history journals. (The reason for that MA degree is that I work on the history of racial, religious, and gender discrimination in higher education.)

My wife Sharon and I live in Greenwich and are the parents of three grown daughters.

What I Am Doing Here

NYMC was founded in 1860, and a women's medical college a few years later, in Manhattan and was at several locations until it settled on the upper east side at Fifth Avenue and 103rd Street. Because it shared this location with its adjacent teaching hospital, the Flower and Fifth Avenue Hospitals, the College was known to generations of physicians as "The Flower Fifth Avenue Medical School." The College moved to Westchester in stages in the late 1960s, when 70 of the 80 US medical schools had anti-Semitic admissions quotas. NYMC was one of ten schools which did not.

Today the College has a School of Basic Biomedical Sciences which awards the MS and PhD degrees; a School of Health Sciences and Practice which awards the MS in Speech Pathology, MPH, DPH, and DPT degrees; and a School of Medicine which awards the MD degree. Each of these schools has a Dean and the three Deans report to me.

What You Can Expect to Find in this Column

In the coming months I will bring you up-to-date on the status of NYMC and our exciting plans for the future. Great things are happening here! I look forward to telling you all about it. ♦

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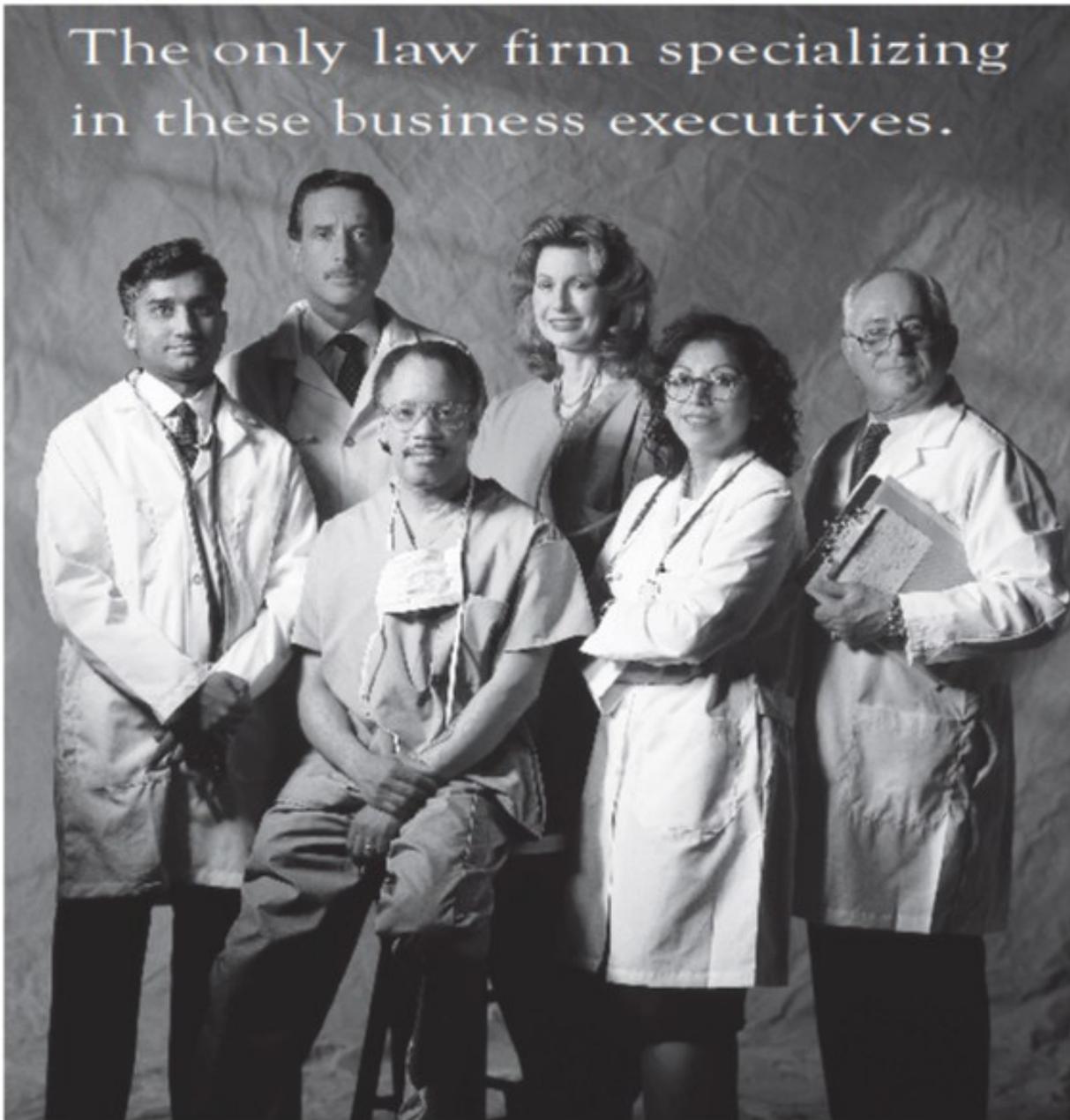
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INAUGURAL “FRIEND OF THE ACADEMY AWARD”

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A highlight of the Golf Outing Dinner was the presentation of the inaugural “Friend of the Academy” award to Michael J. Schoppmann, Esq., Kern Augustine Conroy & Schoppmann, for his many years of support to the Academy, both personally and professionally.

Academy President Joseph Tartaglia, MD presents the award to Michael J. Schoppmann, Esq.

QUOTIDIAN MEDICINE *(continued from page 2)*

Of course, we are battling strong cultural headwinds when we assail the twin and intertwined public health issues of diet and exercise. Our national heritage of wide open spaces and bounteous waves of grain has created a lifestyle that includes large cars and processed foods laden with corn fructose. And perhaps I overstate our lack of impact. I had a teenager recently who came in, trim and toned, a dramatic difference from all the years before and I thought that maybe all my counseling hadn't been for naught.

Even more consequential, is the issue of vaccination, arguably the public health miracle of the 20th century. Fortunately, the majority of our patients get their vaccinations on schedule. But increasingly, parents are exhibiting what has been termed “vaccination hesitancy.” Much time is spent explaining in detail the benefits of vaccines and patiently dispelling each and every myth. It is well worth the trouble, because I have found this is an area where I can have an impact and the results can be instantaneous when a reluctant parent opts to vaccinate. I spend a lot of time thinking of ways to counter some of the objections proffered. Here's one example: parent- “My child has never had the flu.” Me- “Has your child ever been in a car accident.” Parent eyeing me suspiciously wondering where this is going – “No.” Me – “That's great, then you don't have to bother with seatbelts when you drive!”

Then, there is the smaller, more intransigent group who eschew vaccines altogether. There is an essential selfishness embedded in their decision not to vaccinate. One mother did not want the chicken pox vaccine for her child, since she had had chicken pox as a child and any way, what's the big deal, it's a minor illness. True enough, though I must say, I am much more relaxed about my patients with leukemia knowing that they have a much smaller chance of contracting varicella which can devastate an immune compromised child. As a resident I took care of such a child who died during a bout of chicken pox. One mother, after I advanced the public health argument for getting a flu shot, countered with “So you want me to immunize **my** child for the public good?!”

So it goes. I would love to hear from other physicians about their experiences in a similar vein.





Membership Matters

Brian O. Foy
Executive Director

Ten Simple Things You Can Do to Help Make Your Practice Life Easier

All of you are familiar with Letterman's Top 10, right? So please consider the following top 10 things you can do to simplify and improve your "practice life" courtesy of your membership in Westchester County Medical Society (WCMS) and the Medical Society of the State of New York (MSSNY). In no particular order of priority, they are...

Consult the Physician Advocacy Program (PAP) and learn how the experienced health law attorneys at Kern Augustine Conroy & Schoppmann (KACS) can be there to defend you whenever you need them. Member discounts apply. Go to www.drlaw.com and click on the PAP logo.

Have a legal or regulatory question regarding your practice? Call the MSSNY Legal Hotline at 1-800-959-0999. An experienced attorney at KACS will guide you through your questions and concerns and point you in the right direction.

Read your Communications from WCMS and MSSNY! The monthly WCMS Newsletter, *Westchester Physician*, the blast emails from both WCMS and MSSNY and the MSSNY newsletter, *News of New York*, are all full of information pertinent to your practice and/or your profession. The WCMS newsletters are archived at www.wcms.org, where you can also find "hot topics" and information about upcoming events. The MSSNY web site at www.mssny.org is also an excellent resource for advocacy news and the many benefits MSSNY can offer. ***When you get a blast email from WCMS...please open it!***

Attend a WCMS Educational Program! Recent programs on "I-STOP" and "The Risks of Social Media" were well-attended and highly rated. Information dispensed at these programs can potentially save you a lot of time and heartache down the road. ***Please stay tuned for a general membership program in early December—details forthcoming via blast email and the newsletter.***

Support Your Academy of Medicine! Are you aware that the Westchester Academy of Medicine offers one of the most robust CME programs in the state through its numerous activities jointly sponsored with various hospitals and in conjunction with many specialty societies/sections? It's a lot of work but accrediting CME activities remains a high priority of service to our members. Are you also aware that, through its sponsorship of the annual Westchester Science and Engineering Fair, the Academy also supports promising High School students interested in a career in medicine? **Please support our various events during the year that directly benefit our Academy - the Annual Golf Outing and Fundraiser at Westchester Country Club (September) and our Annual Holiday Party (December).**

(continued on page 9)

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Pediatric Section Dine Around Series

Dear Colleague,

You are invited to have dinner with selected specialists from the Maria Fareri Children's Hospital. Please bring questions and interesting cases. As a result of participant feedback, we will be altering the format from the previous Dine Arounuds. Attendance will be limited to eight participants at the table. In addition, we will be having a physician only table. We hope you like the new format. The specialists will be:

November 6

Moira Szilagyi, MD, PhD

Childhood Trauma or Cite Specific Cases

November 13

Dr. Roz Wright

Public Health Conference

November 20

Dr. Jeff Brown

Health Care Needs of Military Dependents

November 27

Assistant Professor Research Symposium

Due to construction, the event has been moved from the Maria Fareri Children's Hospital to C-21 in the Ruth Taylor Building. It is the building to the right of the Westchester Medical Center. Feel free to contact me about inviting any other interested people. Please contact me if you have any special dietary needs.

Please RSVP to my office (Croton Pediatrics) at (914)271-4727.

Sincerely,

Glenn Belkin, DO, FAAP

Chair, Pediatric Section

Westchester Academy of Medicine

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MEMBERSHIP MATTERS *(continued from page 6)*

Take Advantage of Your Member Benefits! In addition to FREE legal information, accessible CME and numerous networking opportunities, are you looking at the other benefits of membership, including:

- ◆ *Discounted insurance products through Charles J. Sellers and Co?*
- ◆ *Financial Planning Services through The Affinity Group*
- ◆ *Discounted Banking Services through Citibank?*
- ◆ *Transcription Services through DataMatrix Technologies?*
- ◆ *Group purchasing discounts through MedTech4Solutions?*

If not...call the WCMS and find out what others already know about!

Participate in a MSSNY Webinar! MSSNY routinely offers Webinars which can allow you to tune in while enjoying a break or lunch and learn about a timely topic. *CME included!*

Attend the MSSNY Annual Meeting! Two out of every three years, we are fortunate to have the MSSNY Annual Meeting here in Westchester (Tarrytown). ***Next year the meeting will be held April 11-13 at the Westchester Marriott (Tarrytown).*** Physicians from all over the state come to this meeting, attend educational programs, network and debate policy that ultimately determines our Society position on important issues. Come and join us! There is no cost to attend, you can speak in a reference committee and you will enjoy the many opportunities to interact with your colleagues from around the state.

Volunteer to Serve on a Committee or Task Force! There is no better way to have a voice in what YOUR Society is doing than to participate in person or by teleconference. We KNOW there are lots of good ideas out there and we'd like to hear from you. Please contact me at bfoy@wcms.org to discuss opportunities for service.

Get Involved in Legislative Advocacy! Whether serving on our WCMS Legislative Committee, becoming a "key contact" for a state legislator, or just being willing to contact a legislator to discuss an issue of importance to medicine...we need your experience and expertise. Your WCMS maintains regular communication with our State legislators and members of Congress and we meet with them regularly to be sure they understand where organized medicine stands on the issues. ***Join us!***

These are a just a few of the opportunities you have to MAXIMIZE your membership and hopefully make your professional and personal life a bit easier. Your WCMS and MSSNY are ready to help you. Please take advantage of your membership. Ask a colleague to join us.

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LEGAL CORNER

News on medical-legal developments affecting physicians and health care professionals

Photocopier as HIPAA Violation

Question: I have heard some recent news about a HIPAA violation related to a photocopier. How is a photocopier related to protected health information?

Answer: Most physicians and their practice managers are aware of HIPAA Privacy and Security issues in relation to protected health information (PHI) maintained in a computer or transmitted over the Internet. But a recent case is a stark reminder that photocopiers also contain PHI. Under a settlement with the U.S. Department of Health and Human Services (HHS), Affinity Health Plan, Inc., has settled potential violations of the HIPAA Privacy and Security Rules for over \$1.2 million. The Office for Civil Rights (OCR) investigation indicated that Affinity impermissibly disclosed the PHI of nearly 350,000 individuals when it returned multiple photocopiers to a leasing agent without erasing the data contained on the copiers' hard drives. In addition, the investigation revealed that Affinity failed to incorporate the electronic protected health information stored in the copiers' hard drives in its analysis of risks and vulnerabilities as required by the Security Rule, and failed to implement policies and procedures when returning the hard drives to its leasing agents.

OCR Director Leon Rodriguez commented that this case illustrates the need to make sure that all personal information is removed from hardware before it is recycled, thrown away or returned to a leasing agent. This case is also a reminder that HIPAA covered entities and business associates are required to undertake a comprehensive risk analysis to understand the threats and vulnerabilities to electronic PHI, and have appropriate safeguards in place to protect the information. The Federal Trade Commission has issued a guide regarding the secure treatment of information stored on photocopier hard drives, available at <http://ow.ly/ovWek>.

For more HIPAA information and resources, updated to comply with the recent HITECH amendments effective September 23, 2013, go to www.DrLaw.com, or please contact KACS Managing Partner, Michael J. Schoppman, Esq. at 1-800-445-0954 or via email at MSchoppmann@DrLaw.com.

Westchester Academy of Medicine Golf Outing & Fundraiser September 26th—Westchester Country Club

On Thursday, September 26th, forty-one golfers took advantage of the beautiful fall weather and enjoyed playing in the 4th Annual Westchester Academy of Medicine Golf Outing & Fundraiser. The Outing was held at Westchester Country Club in Rye. Following the golf, an additional fifteen people joined the golfers for dinner, fellowship, and prizes. The Master of Ceremonies for the evening was Joseph Tartaglia, MD, President of The Academy, who welcomed everyone, thanked the Golf Committee, recognized and thanked all sponsors, and presented Michael J. Schoppmann, Esq., with the inaugural "Friend of the Academy" award (see page 5). All proceeds directly benefit the Academy's very busy CME activities and its scholarship fund, which annually contributes toward events which foster student interest in a career in medicine.

The Academy would like to thank the following for their generous support of this year's outing:

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2013 Golf Committee

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Mary Ellen Pilkington ♦ Steve Malfitano ♦ Brian Foy ♦ Karen Foy*

Academy Golf Outing & Fundraiser—2013



Michael Grasso, MD (far right) with Andrew Fishman, MD, Ira Wagner, MD, and George Neuman, MD



The Winning Team: Joe Castellano, MD; Mitch Stein, MD, and Mohammed Naeem, MD, with Dr. Tartaglia. Missing: Ameet Goyal, MD



Peter Acker, MD (left) accepts his “closest to the pin” prize from Dr. Tartaglia



Brian Foy, WCMS Executive Director, Michael Padial, MD, and Ricardo Mornaghi, MD admire the tee shot of Ravi Patel, VNSW



Tom Sellers, Elaine Healy, MD, Mike Gemei and Ken Goldman, MD pose for a group shot.



Roger Madris, MD, Steve Malfitano, Michael Kitt (M-Tech Printing), and Dr. Tartaglia crossing “golf swords”

WCMS Board Highlights — September, 2013

At its meeting on September 12, 2013, the WCMS Board...

Welcomed **Christopher Reece, Vice President and Senior Business Banking Relationship Manager, M&T Bank, who, along with several other banking reps, acquainted the Board with the various products and services that M&T Bank can offer.** Of particular focus was the strong interest of the bank to meet the needs of the health care community, particularly physicians, and physician input is critical in this endeavor. M&T will meet with the Board again in November to share what it learned from this meeting in the form of products and services tailored to physician need and interests.

Noted that the inaugural Awards Program: **“Doctors of Distinction – Saluting Those Who Go Beyond the Diagnosis” will be held on Thursday, October 24, 2013, at The Bristol, 305 North Street, White Plains.** The Event, co-hosted by the WCMS, Citrin Cooperman and Westfair, will recognize Westchester physicians for their leadership and service in six award categories. The awardees will be selected by a distinguished panel of judges and announced in late September. All physicians are welcome to attend this event, which begins at 5:30pm at no charge, to salute those colleagues who are being recognized by their peers. **Further details and registration information will be posted on the web site at www.wcms.org and sent to all members via blast email.**

Received the report of the Academy of Medicine. In addition to an update on the growing CME Program, the Board was informed that the Annual Member Pool Party, hosted by Dr.'s Kira and Robert Ciardullo, was well-attended. The Board was also reminded about the Academy's most important fundraiser: **the 2013 Academy Golf Outing, Dinner and Fundraiser, to be held on Thursday, September 26th at Westchester Country Club.** Golfers, hole sponsors and those who just to come to dinner or donate a prize are most welcome! Contact Brian Foy, WCMS Executive Director, at bfoy@wcms.org.

Received the Report of the Budget and Finance Committee as presented by Peter Liebert, MD, Chair. Dr. Liebert reported that the Committee has reviewed several proposals over the summer and is recommending to the Board that the current reserves of the WCMS and Academy, managed and invested by Morgan Stanley, be moved to Vanguard as soon as feasible. The move will save the WCMS a significant amount of money in annual fees. **The Board unanimously approved a motion to approve the Committee's recommendation to move all WCMS and Academy investments to Vanguard at the earliest possible opportunity.**

Approved the Report of the Membership Committee, welcoming fourteen (14) new regular members, one (1) new Life Member, seven (7) Resident members and thirty two (32) student members.

Heard an update from Edward Halperin, MD, Chancellor and CEO, New York Medical College (NYMC), on what is happening at NYMC. Dr. Halperin shared the good news on the heroic efforts to save the Westchester Medical Center's Level One Trauma Center designation. He also reported on the search for a new Medical School Dean, the record high MCAT scores for the new medical school class, and the movement of NYMC Faculty to new office space. He also responded to several questions regarding the need for increased engagement of medical students in organized medicine and is committed to working with the WCMS to try new approaches to get the students more involved.

Heard an update from Brian Foy, Executive Director, on a variety of topics, including: possible locations for the 2014 WCMS Annual Meeting; an update on progress to establish an “Advanced Certificate Course in Medical Practice Management” for interested physicians in concert with the Iona College Hagan School of Business; changes to the WCMS Newsletter to curb expenses; and renovations to the headquarters office, which were completed over the summer. ♦



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