



WESTCHESTER PHYSICIAN

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KATONAH RAMBLE

PETER ACKER, MD—IMMEDIATE PAST PRESIDENT

To get to Katonah, a small village in Northern Westchester, from New York City, one can take the train as so many have done since rail service was first established in the 1850's. Getting off the train from New York, one crosses over the tracks and goes down the steps onto the far North end of Katonah Avenue, the main street which extends about half a mile to the south where it intersects with Rte 117. Just across the road from the station is Willie Nicks, an upscale American bistro, then various emporiums of crafts, jewelry, wood works and pottery. Scaglios, an old Italian style gourmet food store is a bit further down, and then Scoops, an ice cream store, Perks, a gourmet coffee place, the eponymous Shawn's personal fitness, a small boutique gym, which is across from a Mrs. Greens, a natural foods grocery with bins of every imaginable grain, legume or nut, the only establishment that is not unique to Katonah (There are 3 other Mrs. Greens scattered around Westchester). In ten minutes the entire downtown area can be traversed. Each business is unique, the town councils having years ago decided to keep out chain stores by establishing a restrictive covenant ruling out every "dangerous, noxious, noisy or offensive trade, employment or establishment whatsoever". There are no Claire's stores, McDonalds, Starbucks, CVS or the Gap. Instead, one finds The Eclectic Collector, Awakenings, Boo Girls, Weinstein's Pharmacy, Charles Department store, and the Blue Dolphin Restaurant. It is a town conducive to quiet browsing and people walk unhurriedly, perhaps picking up fresh lentils at Mrs. Greens, a marinated lamb shank at Scaglios, fresh cilantro and parsley at the Asian vegetable store and then stopping at Perks for a large cup of green tea. People are friendly and often chat with strangers met along the way. It is the perfect antidote to the mall. Ironically, in light of the town's anti-brand stance, Martha Stewart, a local resident, has caused a minor stir with her proposal to use the name Katonah as a brand name for a line of furniture.

Katonah is named after an Indian chief of a tribe that owned the land bought by colonists in the 1600's. Originally just a row of houses along Cherry Street, about one half a mile to the West, it has managed over the years to preserve a rural, small village feel with abundant natural preserves nearby. The picturesque store lined main street is also known

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JEFFREY JACOBSON, MD
President, WCMS

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We would like to wish all of our members and their families a very **Happy Holiday Season and a blessed 2022!**

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FROM THE EDITOR...

KATONAH RUMBLE
PETER ACKER, MD

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as the new Katonah. A dam built in the late 1800's in response to the rapidly growing water needs of New York City, prompted the wholesale movement of the buildings on Cherry Street via blocks and rollers to its present site. This Herculean effort to preserve the buildings is part of town lore and is probably at least partly responsible for the affection that the town commands from its residents.

It is perhaps not surprising, considering the particular ambience with which Katonah is imbued, that it has proven fertile ground for a wide variety of practitioners from the alternative medicine movement. Acupuncture, Transformational Energy Healing, Reflexology, Reiki, Tai chi and Past Life Regression Analysis are just a few of the services available in Katonah. Once a month in the Katonah library on Wednesday evenings, there is a meeting of the Katonah Study Group for Integrative Medicine. The aim of the group, according to their website is to "bring together conventional health professionals and holistic medicine practitioners for the purpose of exploring the well being of patients through a combination of conventional and complementary medicine." It was started by a local child psychiatrist, Dr. Mark Banschick and Sandra Blum, an Ericksonian Hypnotherapist and Past Life Regression Specialist, some 7 years ago, and, by all accounts, is going strong. When I attended some years ago, I was welcomed with open arms, possibly because I was the only conventional medical type there that evening. I felt as if I was in a time warp, transported back to the early seventies as we meditated, and then held hands in a circle feeling the energy course through us, clockwise. My muted skepticism apparently did not break the chain as I heard various sighs that seemed to indicate that the energy we were generating was particularly potent that night. Then we were on to the main event, a talk by a holistic practitioner from an organization known as the Omega Institute. Afterwards, we snacked on an assortment of vegan hors d'oeuvres. Incense filled the air. I confess that I enjoyed myself and left feeling quite relaxed.

Early last Spring, I was in Shawn's personal fitness, not daring to disregard the instructions of Tom, a trainer of considerable muscular bulk, no matter how odious the task he was exhorting me to perform. There is a lively banter that goes on at Shawn's between the trainers and clients. Gossip is freely exchanged and I have no doubt that anything I say there could be disseminated throughout the Katonah community. A lot of useful information is also exchanged and networking opportunities abound. Shawn himself is a wiry man in his mid thirties who presides over the operation with a ready wit that softens his passionate interest in fitness. He regularly takes his trainers to conferences on the latest fitness techniques and he takes great pleasure in announcing to me "Doc, I've got a great new exercise I want you to try." The atmosphere is considerably less testosterone laden than larger gyms I have frequented in the past. I

(Continued on page 4)



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*FROM THE EDITOR...***KATONAH RUMBLE****PETER ACKER, MD***(Continued from page 2)*

happened to mention to Shawn about my interest in organic gardening. “You should talk to Dr. Michel Finkelstein. He trains here and he has a community organic garden.

Soon, I find myself at an organizational meeting for the second season of the “Mindful Gardening Project” started by Dr. Finkelstein the year before and located in rural Bedford. Fifteen families participate and each is assigned to one day a week to work for two to three hours. I pick Monday and meet two other family representatives who will work with me. The grounds are ample, encompassing at least three acres. The garden itself is a fenced in area with 30 wooden structures lined up evenly in two rows that from a distance appear to be a collection of coffins, but on closer inspection are revealed to be dirt filled raised beds. I stick my hand into the soil, which is quite dark and rich appearing and still quite cold and moist this early in the season. I hear an ungodly screech and look up to see a flock of fowl running among the adjoining woods. “Guinea Hens” comments Michael. “They make quite a racket, but they eat virtually any insect. I haven’t seen a tick on this property in the two years I have had them.”

At the far end of the garden is a chicken coop with hens and roosters. At Michael’s suggestion, we pull a few weeds out of the beds and walk up to the coop and insert the weeds through the chicken wire. The fowl rush over and begin to eat with energetic pecks. I spot some larger animals to the side of the garden. “Llamas?” I ask. “Close, actually alpacas. They produce a manure that unlike a cows, can be applied immediately to the garden. It decomposes very rapidly and the plants just love it.” He turn back to look at the raised beds. “We had a tremendous harvest last year. The beds being raised, heat up more quickly in the Spring, extending our growing season. The soil I had imported and mixed with compost and alpaca and chicken manure is loose with good drainage and so rich that we can plant things very closely together. Our major problem is the weeds which also love these conditions.”

As we walk back to the house, Michael continues to talk. “This is perhaps somewhat different than other community gardens. We reason we call it the mindful gardening project is because it is not just to have a source of healthy organic vegetables, but to garden with a sense of awareness of nature’s spirit. It is in-

tended to be a healing experience. We also closely observe the rhythms and cycles of nature and try to honor them.”

Since that meeting, I have spent virtually every Monday morning, weeding, planting, tilling, and finally harvesting. I leave each week with a basket of vegetables feeling quite refreshed. Now that the growing season is over, I spend my Monday mornings back at Shawn’s, on a stationary bike, a cup of Perks coffee perched next to me, dreaming of the Spring.



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STOP THE TRAIN Elliot Barsh, MD

“Today we don’t fight for one life, we fight for all of them.”

-Black Panther, Avengers: Infinity War

Hi everyone.

Happy Holidays!

*We start our lives as the “**best version of ourselves**”.*

***Vulnerable, worthy, and willing** to embrace the moment.*

*Born with the **wisdom** to love and be loved.*

*Ready to **trust** the world we are born into.*

*We don’t know yet that there may be a **pandemic**, that it may seem **endless**, and that it would **threaten** our sense of trust.*

That science will come through for us, but people may not!

800,000 made it personal!

*For the first time in my professional life as a proud and enthusiastic pediatrician, I feel **depleted**.*

*And the more depleted I feel, the more I question my **worthiness**.*

I know I am not the only person feeling this way!

How can we work through these feelings?

*How can we maintain our **sense of purpose**, our **well-being**, stay **related**, and feel **competent**?*

*We have **agency**, and **our choices matter!***

*Making this work and getting each other through this is “**non-negotiable**”!*

Our being here matters more than it ever has!

Here’s to making our holidays happy and our new year healthy!

Thanks for reading.

Stay safe.

E

“With our reserves of patience largely exhausted, it’s time to focus again on things we can do to tolerate uncertainty...”

Dealing With Uncertainty in the Face of Omicron
<https://childmind.org/article/dealing-with-uncertainty-in-the-face-of-omicron/>

“Instead of asking “What’s my risk?,” I’ve tried to ask “What’s my contribution to everyone’s risk?””

I Canceled My Birthday Party Because of Omicron

Here’s how I thought through the decision. https://www.theatlantic.com/health/archive/2021/12/i-canceled-my-birthday-party-because-omicron/621041/?utm_source=email&utm_medium=social&utm_campaign=share

“When I think of 800,000 people, I think of how special each of these people was to someone.”
800,000 Deaths

https://www.theatlantic.com/ideas/archive/2021/12/america-800000-dead-covid-19/620997/?utm_source=email&utm_medium=social&utm_campaign=share

“Throughout my months chronicling those lost to the pandemic, I’ve had the honor of bearing witness to the beauty and goodness of the lives we have lost.”

What I Have Seen Running the FacesOfCOVID Twitter Feed

https://www.theatlantic.com/ideas/archive/2020/12/what-i-have-seen-running-faces-covid-twitter-feed/617483/?utm_source=email&utm_medium=social&utm_campaign=share

“It was hard for me to see the future when my present was so damn hard...”

Emperor of The Empire

<https://www.nejm.org/doi/full/10.1056/NEJMp2111460>

THE TRUE LOVE

by David Whyte

There is a faith in loving fiercely
the one who is rightfully yours,
especially if you have
waited years and especially
if part of you never believed
you could deserve this
loved and beckoning hand
held out to you this way.

I am thinking of faith now
and the testaments of loneliness
and what we feel we are
worthy of in this world.

(Continued on page 6)

STOP THE TRAIN
Elliot Barsh, MD

(Continued from page 5)

Years ago in the Hebrides,
 I remember an old man
 who walked every morning
 on the grey stones
 to the shore of baying seals,
 who would press his hat
 to his chest in the blustering
 salt wind and say his prayer
 to the turbulent Jesus
 hidden in the water,

and I think of the story
 of the storm and everyone
 waking and seeing
 the distant
 yet familiar figure
 far across the water
 calling to them

and how we are all
 preparing for that
 abrupt waking,
 and that calling,
 and that moment
 we have to say yes,
 except it will
 not come so grandly
 so Biblically
 but more subtly
 and intimately in the face
 of the one you know
 you have to love

so that when
 we finally step out of the boat
 toward them, we find
 everything holds
 us, and everything confirms
 our courage, and if you wanted
 to drown you could,
 but you don't
 because finally
 after all this struggle
 and all these years
 you simply don't want to
 any more
 you've simply had enough
 of drowning
 and you want to live and you
 want to love and you will
 walk across any territory
 and any darkness

however fluid and however
 dangerous to take the
 one hand you know
 belongs in yours.

“Someday soon we all will be together. If the fates allow. Until then we’ll have to muddle through somehow...”

Have Yourself A Merry Little Christmas

<https://open.spotify.com/track/7GnQsPZ4C4mecUcglkUJgr?si=aa469ded6206414b>

...and even more beautiful in French.

<https://open.spotify.com/track/2eS6FXNvwkhWiBtysCr6FS?si=f345a36801b84edb>



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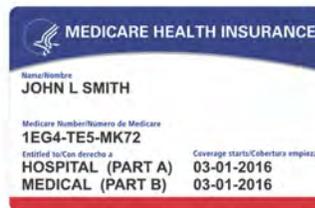


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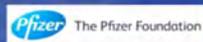
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HOUSE PASSES BILL TO PREVENT STAGGERING MEDICARE CUTS FOLLOWING SUSTAINED PHYSICIAN ADVOCACY

On Tuesday night, by a 222-212 vote, the US House of Representatives passed the Protecting Medicare & American Farmers from Sequester Cuts Act which would temporarily hold off most of the cumulative 10% Medicare cuts to physician payment that are scheduled to go into effect January 1, 2022. The bill is expected to be passed by the Senate as well as part of a larger package to raise the debt ceiling.

Specifically, the bill would extend a moratorium on a 2% sequester cut through March 31, 2022 that had been scheduled to expire at year end 2021. It also would delay a 4% budget-balancing cut known as PAYGO until 2023. Finally, it would provide a one-year, 3% increase in the Medicare physician fee schedule, to offset the 3.75% conversion factor cut contained in the 2022 Medicare payment rule.

Gerald E. Harmon, M.D., president of the American Medical Association, praised Congress for “taking a decisive step” and urged Congress to “support this bipartisan proposal and join together again in the new year to develop long-term solutions to address the flaws in the Medicare payment system.”

On Tuesday, MSSNY President Dr. Joseph Sellers issued a statement thanking the many members of the New York Congressional delegation who recently joined a [letter to Speaker Pelosi and Leader McCarthy](#) urging action to prevent these cuts, but noted that “we are nearly out of time” and urged “immediate action to help ensure that community-based physicians will still be able to provide the health care services that are expected and deserved by our patients.”

Until this is finalized, physicians can send a letter to Senators Schumer and Gillibrand urging action to prevent steep Medicare cuts here: [Be Heard | Physicians Grassroots Network](#).



UPDATE ON LITIGATION RELATED TO THE IDR PORTION OF THE NO SURPRISES ACT AND IMPLEMENTATION OF OTHER NSA REQUIREMENTS

The Physicians Advocacy Institute (PAI) will be filing an amicus brief on behalf of itself as well as MSSNY and the other 9 affiliated state medical associations to support the lawsuit filed by the Texas Medical Association (TMA) against several federal agencies challenging its erroneous implementation of the federal No Surprises Act (NSA).

As has been reported in MSSNY e-news, the TMA lawsuit alleges that, in enacting the Interim Final Rule (IFR) on the NSA, federal agencies: (1) improperly failed to follow direction from Congress about how to implement the Independent Dispute Resolution (IDR) process set forth in the NSA by giving undue weight to the health insurer’s self-determined qualifying payment amount as part of the IDR determination and (2) violated the Administrative Procedure Act by failing to appropriately solicit and incorporate comments from stakeholders.

The American Medical Association together with the American Hospital Association is also expected to file a lawsuit this week in a federal court in the District of Columbia to raise similar legal challenges to the federal agencies’ interpretation of the NSA. MSSNY has had several discussions with the PAI regarding how together they can best assist the AMA in pursuing this legal action, including filing an amicus brief.

Since the NSA’s passage last December, MSSNY working together with many other medical associations across the country have written to and met with federal regulators to encourage rules to ensure a fair implementation of the NSA, including a MSSNY letter to federal officials this week. Like many other groups, the MSSNY letter raised strong objections to federal regulations because, instead of following the statutory language included within the NSA, HHS and other federal agencies designed an IDR process for resolving out of network surprise medical bills that heavily favors health insurance companies in payment disputes by prioritizing health insurer median contract rates over other factors.

The Congressional intent articulated in the NSA was to create an IDR process to protect patients that was appropriately balanced and did not favor either the insurer or the physician in claims disputes. Specifically, the final language adopted by Congress required that numerous factors be considered, including patient acuity or complexity of services, demonstrations of previous good faith efforts to negotiate in-network rates and previously contracted rates, in addition to the insurers’ median in-network rate, without specifying that one factor take precedence over another.

Physicians must also be aware that there are numerous other changes required by the NSA that will take effect January 1 that will impact New York physicians which are not the subject of these legal actions. [MSSNY has written multiple newsletter articles](#) that have sought to educate physicians regarding many of the important differences between the NSA and New York’s existing surprise bill law.





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About Westchester County...

Westchester County, located in the heart of the historic Hudson Valley, covers 500 square miles and has a population of just under a million. Originally home to Native Americans, who were members of the Lenape tribe, it is today a rich mix of many cultures and landscapes. The County is a blend of bustling cities, quaint villages and picturesque towns as well as open spaces and a network of beautiful parks. The County is also an intellectual capital, boasting a highly educated workforce, competitive colleges and universities, Fortune 500 companies, world changing non-profits, and cutting-edge research centers.



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their reports before November 30, 2021 may request to have their report reopened for revisions by contacting the Provider Support Line (866-569-3522). All reports must be finalized and submitted before December 20, 2021 at 11:59 pm ET to be compliant with the terms and conditions of the PRF program.

To access the PRF reporting portal, please [click here](#).

For additional information about PRF reporting, please visit the [PRF webpage](#).

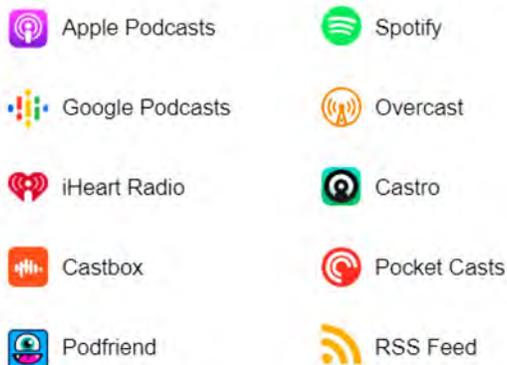




MSSNY Podcasts

MSSNY

The Medical Society of the State of New York has created a number of podcasts on topics that are timely and relevant. In addition to weekly MSSNY Updates from the Division of Governmental Affairs, there are myriad timely and relevant podcasts on COVID-19 (both for physicians and patients) as well as a number of others on veterans, adult immunizations and emergency preparedness.



Click on the podcast titles
to listen

MSSNY Announces two NEW Podcasts on COVID-19

★ A Discussion on COVID Vaccine for Patients ★

MSSNY President, Dr. Bonnie Litvack, President-elect, Dr. Joseph Sellers and Dr. William Valenti, Chair of MSSNY's Committee on Infectious Diseases discuss vaccines currently available for COVID-19 and answer many questions patients may have about the vaccines.

★ How to Talk to Patients About Vaccine Hesitancy ★

Dr. William Valenti, Chair of MSSNY's Committee on Infectious Diseases discusses the history of vaccine hesitancy and offers sage advice to listeners on talking to vaccine hesitant patients.

★★The additions of these podcasts marks 100 podcasts published on the MSSNY Podcast website!★★