



Topline

Newsletter of the Tennessee Medical Association

Issue
15
July/August 2022

Focused on

PHYSICIAN WELLNESS



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What's Inside



TMA's Insurance Workshop Series

These webinars will offer critical information to members and staff in October.

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Member Reflects on Leadership Experience

A recent graduate of the John Ingram Institute's Leadership Lab relays what he learned.

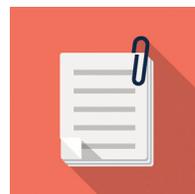
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FROM the PRESIDENT

As the Covid-19 Omicron BA.5 variant is rearing its head again and infecting many of our patients and even our colleagues, we are all wondering if this nightmare will ever end. We have all lost many people close to us in the last two-and-a-half years since we first heard of Covid-19. Patients are afraid to come in, leading to the rise in telemedicine. These factors have placed unprecedented stress on the entire healthcare industry, but has affected physicians disproportionately.

Depression and burnout have wide-reaching repercussions. A depressed physician cannot provide care effectively to patients and makes more errors. On a personal side, it affects relationships and can lead to alcohol and substance abuse, divorce, and even suicide. Early signs of depression include changes in exercise patterns, sleep patterns, eating patterns, or social interactions.

In June 2021, the Physicians Foundation surveyed over 2,500 physicians examining the impact of Covid-19 on America's physicians. The survey found that 61 percent of those surveyed reported feelings of burnout, often reported as anger, tearfulness, or anxiety. This was an increase of over 20 percent in only two years. Treatment is often not sought for fear of retribution. In fact, only 14 percent of the physicians reporting burnout sought any kind of medical attention. They feared it could affect their medical license or hospital privileges.

In 2018, The Federation of State Medical Boards released a policy on Physician Wellness and Burnout. This led to a change in the Tennessee license application asking about impairment rather than mental health treatment. In May 2020, the Joint Commission stated that it does not require organizations to ask about a clinician's history of mental

health conditions or treatment and limits inquiries to current impairment. Physicians should not be afraid to seek mental health services if they are struggling.

Concern over burnout led the American Medical Association to make the issue one of its top priorities. In May, U.S. surgeon general Dr. Vivek Murthy issued an advisory addressing health care worker burnout.

"The nation's health depends on the well-being of our health workforce," he said. "Confronting the long-standing drivers of burnout among our health workers must be a top national priority."

There are currently four physician wellness programs in development in Tennessee. They include Lifebridge in Chattanooga, Vitality in Knoxville, Thrive in Memphis, and Prosper in Nashville.

On Aug. 25, the next TMA All Member Virtual meeting will feature a presentation on physician well-being from Corey Feist, the president and co-founder of the Dr. Lorna Breen Heroes' Foundation. Dr. Breen was a very accomplished emergency room physician who committed suicide after experiencing a mental breakdown during the early months of the Covid-19 pandemic. Register for the meeting at tnmed.org/events. A recorded version will be made available shortly thereafter.

We look forward to continued dialogue throughout the year on this important topic. If members have thoughts or insights on how to best proceed with this focus please email me at president@tnmed.org. We all need to work together to be successful at this critical endeavor.

Edward W. Capporelli, M.D.

Edward Capporelli, MD | 2022-2023 President



INSURANCE WORKSHOP SERIES

TMA's Insurance Workshop Series Starts in October

Delivering updates from industry experts, the TMA Insurance Workshop Series will bring critical information on Evaluation and Management documentation, avoiding appeals and recoupments, proper coding and more. Don't leave money on the table!

Each Tuesday in October, TMA will host an informative webinar focusing on an insurance-related issue intended to positively impact your practice's bottom line. Sessions begin at 12 pm CT and will feature subject-matter experts presenting on relevant topics for one hour, followed by a 30-minute Q&A session.

Purchase any individual webinar for \$65, or all four webinars for a bundle price of \$199. Attendees can earn up to 6 CEUs.

- **October 4: E/M Documentation Challenges.**

Presenter: Paula Duren, CPC, CPMA, Senior Manager, Healthcare Consulting, LBMC

- **October 11: Documentation Guidelines: Additions, Deletions, Revisions and Everything In Between.**

Presenter: Shannon Deconda, CPC, CEMC, CEMA, CPMA, CRTT, Partner at DoctorsManagement and President of NAMAS

- **October 18: Importance of an Internal Audit Process.**

Presenter: Kathi Carney, CPC, CPMA, CPC-I, Director Physician Business Solutions, LBMC

- **October 25: Incident-to Billing.**

Presenter: Kathi Carney, CPC, CPMA, CPC-I, Director, Physician Business Solutions, LBMC

Visit tnmed.org/insurance-workshops to register. Contact Tabitha Lara with questions at tabitha.lara@tnmed.org.

Physician Wellness a Priority Issue for TMA in 2023



In recent years, there has been growing concern around mental health in America and the barriers faced among those seeking treatment.

Whether through financial hurdles or societal stigma, lack of access has been a pervasive issue with far-reaching implications on burnout, depression, and suicidal ideation.

Doctors are not immune from this crisis. Studies suggest that about one-third of physicians experience burnout at some point in their careers, and compared with the general population, are nearly twice as likely to commit suicide. The consequences of this can be catastrophic, translating to poorer quality of care, decreased patient satisfaction, increased risk for medical errors, and lawsuits. In some of the underserved areas of Tennessee, communities cannot afford to lose even one physician to suicide.

While physician burnout began long before Covid-19, the pandemic greatly exacerbated this ongoing crisis. The seemingly endless workload, mounting death tolls and collective indifference toward Covid-19 safety precautions heightened feelings of depression, burnout, and moral injury for many physicians. Experts predict that if left unaddressed, burnout will further erode and undermine patient care and the health care system.

Currently in Tennessee, if a physician has disclosed personal mental health concerns or diagnoses his or her employer is legally required to report the physician to the appropriate licensing board. Health plans and hospital credentialing

committees also require physicians to disclose personal mental health information in order to practice at facilities. These requirements serve as direct barriers to physicians seeking mental health treatment, ultimately contributing to reduced professional performance, high turnover rates, and the adverse consequences of medical errors.

As Tennessee works to build and expand its health care workforce, mental health stigma should not be a barrier to practicing medicine. Physicians should be free to seek out needed care without fear of judgment or reprisal.

Tennessee Medical Association president Ed Capparelli, MD, has identified the issue as a top priority for the organization. "It is time for all of us to heighten our awareness of depression and mental illness among our colleagues, our partners, and even ourselves, and to seek help long before burnout is reached," said Dr. Capparelli. "Our families and our patients need us."

Early diagnosis and treatment— unhindered by stigma— provide the keys to preventing impairment and mitigating the risk of suicide. That is why TMA and its Board of Trustees approved physician wellness as part of the organization's 2023 legislative package.

By enacting state legislation that provides for safe haven reporting systems and encourages treatment for medical professionals, we can prevent physician impairment and mitigate the risk of suicide.

September is Suicide Prevention Awareness Month, a time to raise awareness and support stigma-free access to mental and behavioral health services for members of the medical team. After years of physicians placing themselves on the front lines and suffering in silence, it is finally time to make mental health a priority for health care professionals in Tennessee.

Is it Time to Rethink Your Investment Decisions?



Recently, economic headlines have included information about topics that might make you

consider altering your investments, such as inflation, rising interest rates and recession.

There is plenty else that could be mentioned as cause and effect, but let us cut to the chase: what does this mean for you? At least in the short term, you may be rethinking your personal and practice investment decisions. Should you?

TMA Medical Banking continues to see large deal flow with our pipeline at a record size. More questions are being asked,

and historical and projected numbers are receiving more stress testing. But good deals continue forward.

In this time of economic uncertainty, TMA Medical Banking's suggestion is to lean on trusted partners – your CPA, financial advisor, banker, attorney and others – as you evaluate both your challenges and opportunities. Ask more questions, stress test budgets and analyze assumptions.

As a healthcare focused bank, TMA Medical Banking is available to help. It is not trying to sell members anything they don't need, but is available to serve as a financial advocate and resource as physicians consider capital decisions. Contact James Nicholson at jnicholson@insbank.com with questions.

TMA Board of Trustees July Meeting Summary

The TMA Board of Trustees held its quarterly meeting in July in Memphis. In addition to the customary quarterly Board meeting agenda, the meeting served as the Board planning retreat.

To read the entire meeting summary, visit tnmed.org/news. Highlights from the Board meeting included:

- Dialogue and consideration of communications regarding the recent Supreme Court ruling on abortion. TMA will provide members with resources to stay abreast of the changes in Tennessee law.
- Discussed TMA House of Delegates Resolution No. 15-22 dealing with Tennessee firearms education and safety. In May, this was referred to the Board for study and to report back to the House of Delegates. The Board reviewed current law, legislative and executive office positioning, and discussed other professional groups that TMA should meet with to gain more information as it evaluates the role for the association and subsequent positioning as this debate continues in our state and nation. The Board will reach out to TMA's mental health colleagues.
- Approved the 2023 TMA legislative agenda, as submitted by the legislative committee. Priority issues include:
 - ▷ Independent practice/scope bills
 - ▷ Prior authorization regulations by payers
 - ▷ Physician wellness protections
 - ▷ Protection for physicians against baseless complaints filed with the Tennessee Board of Medical Examiners
 - ▷ Support to file legislation to prohibit criminal charges against providers for bad outcomes from normal service delivery
 - ▷ Support of legislation to allow registered pain clinics to use telemedicine for services other than opioid prescribing
- Dr. Harish Manyam of Chattanooga was approved to replace Dr. James Haynes on the Legislative Committee. Dr. Dawn Barlow of Cookeville was also approved to serve on the Legislative Committee, replacing Dr. Jim Batson.

Summary of Planning Discussions

Physician Wellness — The Board spent additional time discussing the current undertakings and opportunities for TMA to increase activities to help physicians dealing with career burnout and personal well-being.

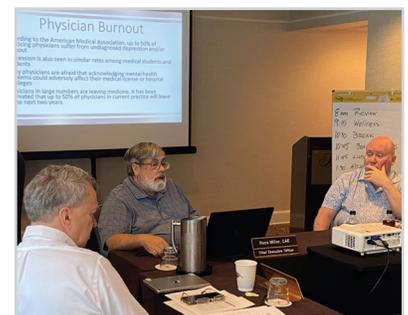
Public Communications — The board discussed TMA's efforts to communicate publicly through the media to express TMA positions on relevant issues to physicians and patients.

Rural Access to Care — As a farther-reaching goal to help improve the care of all Tennesseans, especially those living



Top: Board members took a break from strategic planning for a field trip to the National Civil Rights Museum in Memphis. Middle: TMA president Ed Capparelli, MD, discusses physician wellness. Bottom: TMA President-Elect Andrew Watson, MD, and Region 8 representative Landon Combs, MD, discuss Board agenda items.

in parts of our state without easier access to medical services and physicians, the Board discussed a number of concepts to help help advance access and expand physician services.



Diversity and Inclusion

— TMA has worked to increase the diversity of its members and leaders for a number of years. The conversation greatly changed over the last several years. TMA will continue to work plans in place to make TMA leadership and committees more reflective of all physicians practicing in the state.



Urban-Rural Market Issues — The Board discussed that there has been tension in the organization between members and leaders in urban markets and those in other areas of the state for the past few years. The consensus was that it has receded, but TMA should remain aware and make efforts to reach out more directly to the suburban and rural societies and members.

Grow TMA PAC — The Board discussed the priority of growing TMA's political action committee. Our advocacy goals have better opportunities for success if we are working with politicians sympathetic to the ideas and needs of physicians.

Membership — As a membership organization, TMA's constant recruitment and retention of members is always a priority. The Board discussed more specific areas that can be emphasized and improved.

TMA Member Reflects on Leadership Lab Experience

The 2022 John Ingram Institute for Physician Leadership Lab program concluded in July with a total of 10 graduates. The graduates who completed the multi-month course are: Ashley Walker, MD, Pediatrics; Cortney Cabell, MD, Obstetrics and Gynecology; Diana Alsbrook, MD, Neurology; Di'Net Sintim-Amoah, MD, Pediatrics; English Flack, MD, Pediatric Cardiology; Ghino Francois, MD, Occupational Medicine; Gregg Shepard, MD, Medical Oncology; Jeff Friedman, MD, Radiation Oncology; Joan Henning, MD, Emergency Medicine, and Ralf Habermann, MD, Internal Medicine/Geriatrics.

One of the participants was **Ghino Francois, MD**, an occupational medicine specialist in Bristol. Last year, Dr. Francois participated in the Physician Leadership Immersion Program, a special getaway for physicians to gain leadership training in teamwork, collaboration, conflict resolution and media and communications.

Dr. Francois said he signed up for the Leadership Lab program due to his interest in ascending to a leadership role within his organization, but he wanted to be better prepared for it by first working to improve his leadership abilities.

"I learned of TMA's Physician Leadership Immersion Program through the Nashville Academy of Medicine and joined as a participant in June 2021," he said. "During this course, I also learned of TMA's Physician Leadership Lab and received positive feedback from former participants. I decided to enroll in TMA's Leadership Lab."

As part of the Lab course, participants are asked to create and report on a project implemented within their practice. Francois focused his project on surveillance, because his role often involves medical surveillance programs that aim to keep workers safe when engaged in hazardous work environments.

"With TMA's help, we targeted a lead medical surveillance program in my clinic and looked to improve the structure of our program to better serve our patients," he said. "Our leadership team created a process for our clinic to ensure that all patients received optimal monitoring and



Dr. Ghino Francois (right) participated in the Physician Leadership Lab in April at the TMA offices in Nashville.

management of their blood lead levels. After integrating our new process, we began to see favorable changes in the blood lead levels of our patients."

Reflecting upon his time in the program, Francois says he feels more prepared to meet expectations that come with taking on leadership roles, and it provided him with the confidence to assume new responsibilities.

"The TMA leadership program was worth every penny, travel, leadership book and sacrifice," he said. "Creating a vision that aligns with the goals of my organization and leading my team to establish a sure process will be vital for any leadership project I engage in going forward.

"Physicians should strongly consider TMA's Leadership Lab if they are looking for proven methods of hands-on training to complement their natural leadership capabilities."

TMA members interested in registering for the Leadership Lab in 2023 may visit tnmed.org/education to sign up and gather additional information. Please contact Beth Lentchner, director of leadership programs and education, with questions at beth.lentchner@tnmed.org.

The Institute is partially funded by a grant from The Physicians Foundation, a nonprofit 501(c)(3) organization that seeks to empower physicians in strengthening relationships with patients, sustaining their medical practices and navigating the changing healthcare system.



IN MEMORIAM

We offer our prayers and deep gratitude for all passing members. Their positive impact on their patients and profession will last forever.

Don DeWindle Duke, MD, age 93, of the Memphis Medical Society on July 25, 2022.

Wallace Howard Hall, Jr., MD, age 94, of the Nashville Academy of Medicine on June 8, 2022.

William N. Jernigan, MD, age 94, of the Maury County Medical Society on February 15, 2022.

Allyn Monroe Lay, MD, age 94, of the Maury County Medical Society on July 3, 2022.

Robert C. McEwan, Jr., MD, age 82, of the Memphis Medical Society on March 20, 2022.

Genaro Miguel Angel Palmieri, MD, age 93, of the Memphis Medical Society on June 7, 2022.

Buford E. Rowe, MD, age 83, of the Knoxville Academy of Medicine on April 23, 2022.

TMA Accepting Volunteers for Committee Positions

Are you interested in getting more involved in TMA? We are currently taking volunteers for several open positions on our committees. TMA has nine committees comprised of members located throughout the state. Committees often create the work product behind the important policies and programs that affect our members.

The TMA Board of Trustees reviews committee composition and considers the nominees every January. Those who are selected will serve for two years.

Below is a list of eight committees that serve under the Board of Trustees with open positions along with a description:

- **Constitution and Bylaws Committee:** Maintain oversight of TMA official managing document providing insight and direction as to changes and amendments.
- **Education Committee:** Review CME program applications, resolve conflicts of interest to assure unbiased education, identify learning gaps for educational content development, review content to assure best practices and provide review and improvement over sessions and the entire educational process.
- **Insurance Issues Committee:** Monitor and address all insurance issues, both government and commercial, affecting physicians, practices and patients in Tennessee. This includes reimbursement, regulation and policy changes, lawsuit settlements, contracting issues, networks, pay for performance, workers compensation, etc.

- **Legislative Committee:** Develop TMA's legislative strategies and positions for the Tennessee General Assembly and for Congress.
- **Membership and Recruitment Committee:** Direct all facets of TMA's membership operations including projects for recruitment and retention.
- **Public Health Committee:** Monitor and address issues on health concerns to the public-at-large and the general well-being of our state such as pandemics, flu vaccines, disaster preparedness, health coalition partnerships, rural health access, tobacco, obesity, and the uninsured.
- **Professional Relations Committee:** Promote and maintain relationships between the association and other professional organizations; promote the policies, projects and image of TMA and oversees the internal and external communications processes between TMA and its constituencies.
- **TMA PAC Committee:** TMA PAC is the bipartisan political action committee of the TMA. Its goal is to support pro-medicine candidates in their efforts to win election to public office by making direct contributions to pro-medicine candidates seeking election to the Tennessee legislature or select statewide office.

If you are interested, visit tnmed.org/tma-committees to fill out an application. The deadline to submit is Dec. 1. Send any questions to Amy Campoli at amy.campoli@tnmed.org.



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Legal Briefs

Abortion Resources

On June 24, the U.S. Supreme Court overturned the longstanding *Roe v. Wade* decision in *Dobbs v. Jackson Women's Health Organization*. This decision immediately returned the ability to fully regulate abortion to the individual states, and it has caused confusion in Tennessee regarding which abortion laws are in place and when they go into effect. Tennessee's "trigger" law on abortion will go into effect on Aug. 25.

TMA's Law Guide topics, *Abortion (Effective until 8/24/22)* and *Abortion (Effective 8/25/22)*, help demystify this uncertainty. In addition, TMA's *Abortion FAQs* document is available to address specific questions the legal team has received from members. Member login is required. All resources should be reviewed carefully to fully understand what is legal in Tennessee. Contact us at legal@tnmed.org with questions.

Covid-19 Public Health Emergency

The U.S. Department of Health and Human Services renewed the federal Covid-19 public health emergency for 90 days. Originally scheduled to expire on July 15, it has now been extended to Oct. 13.

Laws Effective July 1

Several laws enacted by the 2022 Tennessee General Assembly became effective July 1 and may be of special interest to physicians. Visit tinyurl.com/tmajulylaws for a summary of these laws.

Reporting Indictment

Physicians must report to their licensing board any indictment for an offense involving the sale or dispensing of controlled substances. Once the licensing board learns of any indictment for a controlled substance crime or for a sexual offense, it must restrict certain prescription rights until the case is final. If convicted, the license must be revoked. Access our Law Guide topic, *Prescriptions*, at tnmed.org/lawguide to understand the details of these two laws and the possible impact on a physician.

Deaf Patients – Interpreters and Companion Interpreters

TMA's Law Guide topic, *Deaf Patients – Interpreters and Companion Interpreters*, is an extensive document detailing a medical practice's requirement to provide equal access to a patient with a disability such as a hearing impairment. It provides detailed information for practices regarding a patient's request for an interpreter to ensure equal access for a patient or the patient's companion with a disability. Go to tnmed.org/lawguide to download this topic.

Doctor Shopping Guide

A prescriber must report a patient if the prescriber has knowledge that a patient has knowingly, willfully and with an intent to deceive, obtained or has attempted to obtain a controlled substance or one with similar therapeutic use within 30 days. For all the reporting requirements and information on how to report, see our Law Guide topic, *Doctor Shopping Guidance*, at tnmed.org/lawguide.



TMA Tennessee Medical Association

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Group Membership

TMA and NAM would like to recognize and welcome **Meharry Medical College** as a new all-in membership group.

Thank you to all MMC physicians for your commitment to organized medicine in Tennessee!

MEHARRY MEDICAL COLLEGE



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