



Topline

Newsletter of the Tennessee Medical Association

Issue
15
May/June 2022



What's Inside



TMEF Scholarships

TMEF selected 61 students to receive scholarships for the 2022-23 school year.

Page 2.



New Membership Video

TMA's new membership recruitment video features members discussing the value and importance of organized medicine.

Page 3.



Doctors Debate Policies at Annual Meeting

A recap of TMA's 187th House of Delegates and Annual Meeting.

Page 4.



Prior Authorization Reform

Solutions are proposed for one of the most significant issues burdening TMA members: prior authorization.

Page 5.

FROM the PRESIDENT

At the recent annual meeting of the TMA House of Delegates I was installed as the 168th president of the organization. I am both honored and humbled to serve in this role for the next year. My major focus for my term as president will be physician wellness and its corollary post-traumatic stress disorder (PTSD), physician burnout and its worst outcome: physician suicide.

The American Medical Association estimates that 30 percent of all practicing physicians suffer from clinical depression, and as many as 50 percent contemplate leaving medicine in the next few years. The Covid-19 pandemic with its physical, emotional and financial impact has hit the medical community especially hard.

For many years, the Physician Medical Foundation has served an increasing number of physicians with alcoholism, substance use disorder and other maladies that made them unable to properly practice. Very rarely do they self-refer voluntarily.

Across the United States, 400 physicians commit suicide every year and that number is rising. That is almost three times the national average and ranks as the highest among all professional groups. Interestingly, female physicians are more likely to commit suicide than their male counterparts.

Physicians are often afraid to voluntarily seek out help for depression or abuse behaviors as they fear it may threaten their medical licenses, hospital privileges or insurance company participation. Questions concerning mental health are on many applications, whereas serious physical maladies are not. It is no surprise that physicians do not voluntarily seek help earlier.

This concern rose to the federal level after the suicide of a New York physician, Dr. Lorna Breen, in late 2020. She served as the director of the emergency department at New York Presbyterian Hospital for many years before contracting Covid-19 in 2020 and committing suicide several months later. On March 18, President Biden signed the Health Care Provider Protection Act into law allocating over \$140 million for grants providing training, education programs, and support programs for students, residents, and providers to prevent and treat depression and PTSD.

If you feel you might have a problem, the Tennessee Medical Foundation has made an anonymous online tool, the Tennessee Professional Screening Questionnaire, available at tn.providerwellness.org. If you feel you are in crisis, call the National Suicide Prevention Hotline at 800-273-8255 or the Tennessee Statewide Crisis Line at 855-274-7471.

Edward W. Capparelli, M.D.

Edward Capparelli, MD | 2022-2023 President



TMEF
Tennessee Medical Education Fund

TMEF Scholarship 2022-23 Recipients

The Tennessee Medical Education Fund (TMEF) has selected third- and fourth-year students to receive scholarship funds for the 2022-23 school year. One second-year student was also selected. The total amount of scholarship funds distributed was \$189,500.

The distribution among the schools directly relates to the number of applicants from each school. Schools with scholarship beneficiaries include: University of Tennessee Health Science Center (UTHSC), Vanderbilt University School of Medicine (VUSM), East Tennessee State University James H. Quillen College of Medicine (ETSU), Meharry Medical College (MMC) and LMU-DeBusk College of Osteopathic Medicine (LMU). We congratulate this year's recipients.

- **ETSU:** 16 recipients; \$54,000 total
- **LMU:** two recipients; \$5,000 total
- **MMC:** six recipients; \$16,500 total
- **UTHSC:** 35 recipients; \$109,000 total
- **VUSM:** two recipients; \$5,000 total

TMEF is an independent, nonprofit 501(c)3 corporation. Founded in 1963, it was designed to provide scholarships to students enrolled in accredited medical schools in the state of Tennessee.

Scholarships range from \$2,500 to \$10,000 per year, and they are awarded based on need, without regard to course of study, academic performance or school year. Funds are allocated for medical school expenses only and are disbursed directly to the school where the applicant is enrolled.

If you know of a student who would like to be considered for a scholarship, the application process will begin in January 2023 for the 2023-24 school year. Visit tnmed.org/scholarship for more information about the scholarships.

TMA Releases New Membership Recruitment Video

TMA unveiled a new membership recruitment video to a gathered audience of delegates during its annual meeting last month. It features a message from TMA members intended to reach their physician colleagues across the state.

The message is simple: Join Us. Join TMA. Participants identified advocacy influence, networking and collegiality as the common unifying themes that drive them to support their state medical association.

“I think (TMA) is effective because it is such a large organization that represents all specialties,” **Amy Suppinger, MD**, a board-certified internal medicine physician with Williamson Medical Group and Region 3 representative from TMA’s Board of Trustees, said in the video. “We work together and speak with a unified voice.”

Footage was captured during physicians’ annual visit to

TMA’s Day on the Hill in March. Participants used the opportunity to convey in their own words the importance of having a voice when important issues impacting patient care are debated.



TMA members are encouraged to watch the video and share the link with a colleague interested in learning more about organized medicine. The video is available at tnmed.org/membership. Prospective members may join online at tnmed.org/join.

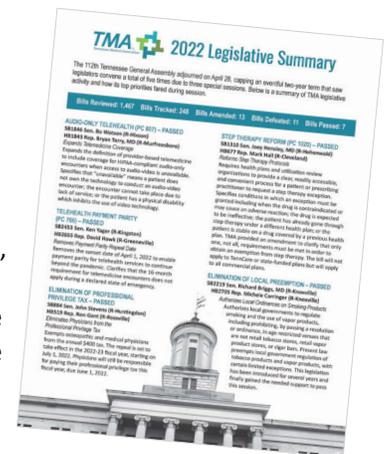
2022 Legislative Summary Available

The 112th Tennessee General Assembly adjourned April 28, capping an eventful two-year term that saw legislators convene a total of five times due to three special sessions.

TMA obtained coverage for audio-only telehealth services, cemented payment parity for virtual health care, and protected doctors from finding themselves in conflict with federal law and the state’s Covid-19 statute. The government affairs team supported several initiatives to reform insurance coverage and reduce onerous administrative burdens for

patients and physicians.

Overall, TMA reviewed 1,467 bills, tracked 248, amended 13, defeated 11, and passed seven. TMA’s complete 2022 Legislative Summary is now available online at tnmed.org/legislative.



New Products and Services Discounts Available to TMA Members



Agility, a group product organization, joined TMA as an affinity partner.

Members are eligible for discounted pricing on personal protective equipment and Covid-19 test kits. There is no better time to begin saving on supplies. Learn more at tnmed.org/practice-member-services.



Clarus Care joined TMA as a corporate partner offering discounted pricing on medical call management for day, night

and paging services. Clarus streamlines patient calls, staff coordination and physician follow-up through an easy-to-use platform and robust app designed for physicians. For

more information on Clarus and the special pricing available exclusively to members visit tnmed.org/member-benefits.

There you will also find other great discounted products and services designed to help your practice run smoothly and efficiently all while saving time and money.

TMA corporate partners offer solutions across a range of products including: personal and professional banking, group practice insurance plans, 401(k) retirement plans, cyber liability insurance, malpractice insurance, discounted personal protective equipment and more.

We are available to guide you or your office staff toward these and other solutions. Contact Anne Mastoris, TMA Director of Corporate Partner Alliances, at anne.mastoris@tnmed.org or 615.460.1669 for more information.



Doctors Debate Healthcare Policies at Annual Meeting

TMA assembled nearly 130 physician members last month in Franklin for the 187th annual business meeting of its House of Delegates.

Prior authorization was identified as a top issue facing Tennessee physicians and their patients (more on Page 5). Delegates participated in a special session which included testimony from TMA physician leaders to address the PA process, and a resolution was later introduced to combat its detrimental effects. Physician wellness, a top concern raised by incoming TMA president **Ed Capparelli, MD**, was affirmed by the House of Delegates through a resolution calling for increased statewide access to mental health and wellness services for physicians. The expansion of healthcare services to rural and underserved populations through the development and fortification of existing programs and utilization of existing infrastructure was also prioritized by the assembly.

“One of TMA’s most important functions is its ability to rally physicians from across the state to engage in constructive discussions on healthcare’s most pressing issues,” said **Lee Berkenstock, MD**, a family physician from Memphis and newly elected Chair of the TMA Board of Trustees. “We bring unique perspectives across the diverse set of medical specialties, practice environments, and geographic locations in which we live and practice.

“Healthy dialogue with legislators, insurance companies and other stakeholders is key as we physicians strive to deliver the highest level of care in our state. While we may not always agree, doctors are well positioned to positively impact the process, and we remain committed to working together to achieve common ground. This is why membership in our organization is approaching record levels, and TMA is respected and seen as the most valuable and trusted advocacy organization on Capitol Hill.”

TMA Policy Updates

Physicians in the House of Delegates debated resolutions on a number of healthcare topics. Following the special session on prior authorization, the assembly approved a resolution calling for reform of the PA process under health insurance regulations that require healthcare providers to pre-qualify treatments with insurance companies before rendering services.

Dr. James Cates, a Cookeville family physician, and 2021-22 TMA Board Chair, authored the resolution to address the

organization’s concerns with improper denials, delays and disruptions in necessary medical care and exorbitant costs absorbed by medical practices due to staffing needs and unnecessary wait times.

Other notable policies the association adopted or referred to the TMA Board for possible action (review the full list at tnmed.org/HOD):

- Seeking to eliminate the gap between the days of prescriptions and the availability of refills allowed by insurance plans.
- Improving public health and safety by reducing the availability of shared dockless electronic scooters in the state and enforcing mandatory helmet laws and availability of helmets.
- Continuation of TMA work toward expansion of much-needed medical residency training positions and medical schools.
- Adoption of a medical staff member bill of rights and a standard of concepts to be included in medical staff bylaws to protect medical staff self-governance and autonomy.
- Requiring syringe services programs to distribute fentanyl test strips when requested and annual reporting of distribution totals.
- Supporting prohibition of indoor tanning services using ultraviolet rays to those under 18 years of age.
- Reviewing available educational resources on gun safety and proper storage practices through the organization’s Board of Trustees and public health committee.

New TMA Officers

Dr. Ed Capparelli, a family physician from Jacksboro, Tenn., was officially installed as TMA President. He is the 168th president for the association. The TMA Board of Trustees transitioned its leadership positions for the coming year, and members reelected the Speaker and Vice Speaker presiding over the business of the House of Delegates.

- **Lee Berkenstock, MD**, a Memphis family physician, will serve as Chair of the TMA Board of Trustees.
- **Gene Huffstutter, MD**, a Chattanooga rheumatologist, was elected to serve as Vice Chair.
- **Landon Combs, MD**, a Gray, Tenn. pediatrician, was reappointed as Secretary/Treasurer.
- **Andrew Watson, MD**, a cardiologist in Memphis, will serve as TMA President-Elect.
- **John McCarley, MD**, a nephrologist in Chattanooga, was reelected as Speaker of the TMA House of Delegates.
- **George “Trey” Lee, MD**, a neurologist in Nashville, was reelected as Vice Speaker of the TMA House of Delegates.

TMA's House of Delegates Votes to Make Prior Authorization Reform a Legislative Priority

As the health care market has become increasingly complex and cumbersome to navigate, so too has the necessity of doing business with health plans. Payment rules and policies, unilateral fee reductions, credentialing delays, and one-sided contractual terms are but a few of the challenges physicians face, but one of the most significant issues plaguing TMA members is prior authorization.

In pursuit of cost savings, health insurance companies and their contractors have exponentially increased their lists of medical services, drugs, and devices that require prior authorization. Not only do these policies harm patients through delayed care, but they also increase administrative burdens for medical practices by forcing physicians and their staff to take time away from patients to fill out paperwork, submit records, and remain on the phone for hours on end to receive approval for needed services. The administrative hassle of PA is further compounded by the varying sets of requirements and medically arbitrary criteria set forth by each individual health plan, adding to the burden of seeking approval and filing for reimbursement.

“Prior authorization creates a profound negative impact on physicians and their practices, but most critically important is the profound negative impact on the patient,” said TMA President-Elect **Andrew Watson, MD**. “It creates an unnecessary delay in care, worsens health outcomes and is an additional barrier for the elderly, families and medical providers.”

Despite repeated promises by the insurance industry to reform and improve the PA process, physicians are not confident the list of items requiring prior authorization have been meaningfully reduced—such as commonly approved items routinely ordered for patients.

“Current prior authorization protocols delay and disrupt patient care while doing little to promote cost-efficiency in the health care system,” said TMA Immediate Past President **Ron Kirkland, MD**. “It is time Tennessee physicians take a



From left to right, Drs. Andrew Watson, Turney Williams and Ron Kirkland discuss prior authorization at the House of Delegates.

stand and demand accountability from health insurance companies.”

Since 2020, TMA has spearheaded a monthly workgroup among physicians, medical practice executives, and health plans to work toward solutions to streamline and automate the prior authorization process. The work group was formed in an effort to work together with stakeholders to identify and respond to PA challenges without providers having to bring legislation to do so. Health plans have focused on a case-by-case rather than comprehensive, systemic approach. Physicians fear automation of the process will mean more, not less, services will require PA.

With growing demand for action by TMA members, the House of Delegates decided to make prior authorization reform a priority of the association. Specifically, the resolution aims to achieve four primary goals: reduce the number of medical and pharmacy services that require prior authorization; ensure patients gain quicker access to care through the reduction of denials; streamline the prior authorization process to reduce burdens and retroactively denied payments; and support federal efforts to reform prior authorization for Medicare Advantage and other government-regulated plans. Visit tnmed.org/prior-authorization to learn more and share your practice's experience with prior authorization.

IN MEMORIAM

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

Charles Bernard Beck, MD, age 87, of the Nashville Academy of Medicine on May 8, 2022.

Abraham Pacha Cheij, MD, age 95, of the Nashville Academy of Medicine on April 11, 2022.

Loren Arthur Crown, MD, age 77, of the Tipton County Medical Society on May 29, 2022.

Fred Ayres Killeffer, MD, age 87, of the Knoxville Academy of Medicine on March 30, 2022.

Gwinnett McGhee Ladson, MD, of the Nashville Academy of Medicine on April 8, 2022.

Carmen Bertucci Lozzio, MD, age 90, of the Knoxville Academy of Medicine on April 5, 2022.

Professional Privilege Tax Repealed for Physicians

In ongoing efforts to repeal the state's annual \$400 professional privilege tax, members of the General Assembly announced on April 29 that physicians (MDs and DOs) would be the sole profession exempted from the tax beginning next fiscal year. That means the repeal is set to take effect in the 2022-23 fiscal year, starting on July 1, 2022. Physicians were still responsible for paying the professional privilege tax this fiscal year, which was due June 1, 2022.

The long-awaited exclusion comes as a much-needed reprieve following a grueling two years of the Covid-19 pandemic and high levels of physician burnout. Mindful of these burdens, lawmakers agreed to eliminate the tax requirement as a show of appreciation toward the medical community for its efforts to protect Tennesseans during unprecedented times.

The elimination of physicians from the \$400 annual tax accounts for nearly \$10 million in lost revenue for the state, but it signifies the legislature's commitment to returning excess revenues to taxpayers in times of budget surpluses. TMA is appreciative of this commitment and the ongoing work of lawmakers to deliver further tax relief to Tennessee physicians.

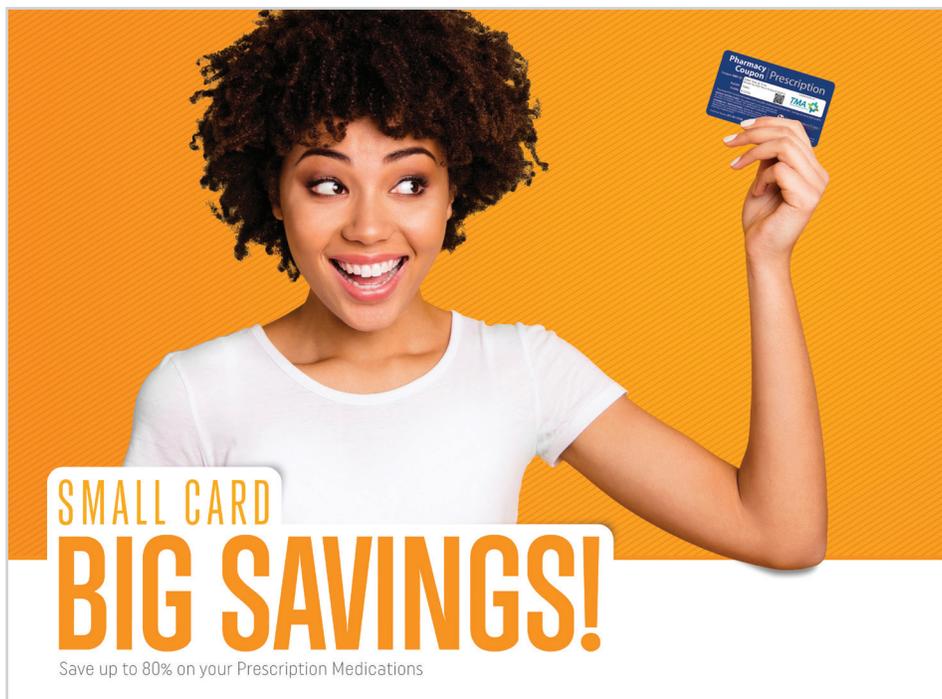
In 2019, the tax was repealed for all but seven professions. In 2020 and 2021, TMA sought repeal but the budget uncertainty brought on by the Covid-19 crisis made repeal of the tax for doctors impossible. In 2022, three sets of bills were filed to repeal or reduce the tax on doctors and other professions over time.

The change stands to benefit retired physicians who paid

the tax to maintain their license to provide charity care, as well as young physicians with significant education debt. TMA is hopeful that legislators will continue to phase out this discriminatory tax for the remaining six professions.

The elimination of the tax for physicians has been a perennial priority for TMA's legislative committee and advocacy team. The accomplishment would not have been possible without the support of TMA members across the state. The collective voice of organized medicine was impactful in persuading the legislature to reach this decision. TMA members are encouraged to voice support for this accomplishment by sharing the news and inviting physician colleagues to join our physician-led organization. Prospective members may join TMA at tnmed.org/join.

TMA PAC has been instrumental in driving favorable policy outcomes, and the TMA PAC committee is asking for your support and donations. The committee will soon begin selecting and donating to pro-medicine campaigns across the state. While organized medicine saw one of the most successful sessions to date, over 15 incumbents are retiring this year. This means TMA must engage in more campaign activity to ensure friends of medicine are elected. TMA PAC turns campaign contributions into political capital by building influence and credibility with elected officials. Your donation goes directly toward advancing TMA's policy agenda. Donate at tnmed.org/tmapac, or contact TMA's Erika Thomas at erika.thomas@tnmed.org for assistance in mailing a check.



**SMALL CARD
BIG SAVINGS!**

Save up to 80% on your Prescription Medications

TENNESSEE DRUG CARD
WWW.TENNESSEEDRUGCARD.COM

Compliments of: **TMA**
Tennessee Medical Association

Pharmacy Coupon Prescription

Coupon MBR ID: Enter Year & Time
(Example Year 2022, Time 8:14, Enter @ 2022/8/14)

RxGRP: TNIX
RxBIN: 010700

PATIENT INSTRUCTIONS: This coupon is pre-activated and can be used immediately. Present this coupon to your participating pharmacy to receive a discount on prescription medications.

PHARMACY INSTRUCTIONS: Enter this coupon when you are processed as secondary using the following pharmacy processing information: Rx group: TNIX and Rxbin: 010700. Enter the Pharmacy's license number.

Customer Service: 877-321-4756 Pharmacy Helpline: 800-223-2146 This is a point-of-sale discount program.

Learn more at **TENNESSEEDRUGCARD.COM** and get your Free Prescription Savings Coupon Card

Proud Supporter of: **Children's Miracle Network Hospitals**

This drug savings program will grant funds to local CMN Hospitals to help kids within the communities they do business.

Legal Briefs

Covid-19 Public Health Emergency

The U.S. Department of Health and Human Services renewed the Covid-19 public health emergency for 90 days. It was scheduled to expire on April 16, but was extended to July 15.

Laws Effective July 1

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

Prior Authorization Workgroup

TMA spearheaded this workgroup between physicians and insurance plans in 2020. TMA is requesting member feedback and would like information regarding your experience obtaining prior authorizations for your patients. Is the process overly burdensome? Please help us better understand the process by visiting tinyurl.com/tmapaworkgroup. You may reference the work group's progress and access our prior authorization experience form.

New Law Guide Topic: Step Therapy

The Tennessee General Assembly addressed step therapy in code for the first time in 2022. The law, which will go into effect on Jan. 1, 2023, sets out a process by which health care providers can obtain exceptions to health insurance step therapy requirements. TMA has a new Law Guide topic, *Step Therapy*, explaining this law. Access it at tnmed.org/lawguide.

Independent Dispute Resolution Portal Open

On April 15, TCMS opened the Independent Dispute Resolution (IDR) Portal for providers, facilities, and health plans that will be used to resolve payment disputes for out-of-network charges. This portal was created as a result of the federal No Surprises Act (NSA) that passed in 2020. For a detailed summary of this law and its requirements review our Law Guide topic, *No Surprises Act*, at tnmed.org/lawguide.

CSMD Query Requirements

Current Tennessee law requires a prescriber to check the Controlled Substance Monitoring Database before issuing a prescription for certain drugs. The Department of Health has amended the database rules, and beginning Jan. 26 a prescriber must check the database before issuing a **Schedule II amphetamine** in addition to prescriptions for opioids or benzodiazepines. If you are unsure which circumstances require the database check, or if you believe you might be exempt from this requirement, review our

Law Guide topic, *Controlled Substance Database* (section VII D. – F.) at tnmed.org/lawguide.

Collaborating Physician Toolkit

Our toolkit will help you stay in compliance with regulations governing your role as a physician collaborating with an advanced practice registered nurse or physician assistant. Go to tnmed.org/legal to access it.

TMA
Tennessee Medical Association

Group Membership

TMA would like to recognize and welcome **Ballad Health Medical Associates** as an all-in membership group.

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

Struggling?

IF YOU OR SOMEONE YOU KNOW IS DEALING WITH...

- Stress/Burnout
- Depression
- Anxiety
- Substance Use
- Anger
- Impulsive Behavior
- Relationship Issues
- Conflicts at Work

We are here to help.

Don't wait until an issue is career or life threatening. Call the TMF Physician's Health Program. We are your confidential resource for help, hope, and healing.

615-467-6411

TMF
TENNESSEE MEDICAL FOUNDATION

Saving Lives. Saving Careers.

5141 Virginia Way, Ste. 110
Brentwood, TN 37027

e-tmf.org



701 Bradford Avenue
Nashville, TN 37204

ADDRESS SERVICE REQUESTED

Together,
we go further.

The practice of medicine is full of unforeseen challenges, and an experienced, proactive partner will help navigate them. As a premier provider of medical malpractice insurance, our in-house attorneys and unique array of tailored services are always at the ready to help you be prepared for what lies ahead.

Get a quote at www.svmic.com

