AMERICAN MEDICAL ASSOCIATION ORGANIZED MEDICAL STAFF SECTION (I-19)

Report of the OMSS Reference Committee

Nancy Mueller, MD, Chair

Your Reference Committee recommends the following consent calendar for acceptance:

RECOMMENDED FOR ADOPTION AS AMENDED OR SUBSTITUTED

1. Resolution 2 – Medical Center Auto Accept Policies
2. Resolution 3 – Hospital Website Voluntary Physician Inclusion

RECOMMENDED FOR REFERRAL

4. Resolution 1 – Where Was the AMA?
5. Resolution 4 – Drug Shortage Rapid Response Team
(1) RESOLUTION 2 - MEDICAL CENTER UNCONDITIONAL AUTO ACCEPT POLICIES

RECOMMENDATION:

Mr. Chair, your Reference Committee recommends that the following alternate resolution be adopted in lieu of Resolution 2 and transmitted to the House of Delegates for consideration at the 2019 Interim Meeting:

MEDICAL CENTER AUTO ACCEPT POLICIES

RESOLVED, That our AMA study the impact of auto accept policies on public health and the Emergency Medical Treatment and Labor Act (EMTALA) in order to protect the safety of our patients; and be it further

RESOLVED, That if a medical center adopts an auto accept policy, it should be crafted and overseen by the independent medical staff.

Resolution 2 asks that our AMA (1) take the position that a decision on whether a medical center will adopt an “auto accept” policy (i.e., unconditional acceptance for care of a patient), including what limitations should apply, be taken only after a review procedure is defined, after medical and logistic study, by an entity independent of the medical facility’s administration; and (2) advocate for a center’s independent medical staff to be an integral party as to whether an “auto accept” policy (i.e., unconditional acceptance for care of a patient) should be adopted, with what limitations, and if so, what form of implementation should be instituted, given the proposed policy’s impact on patient safety and care quality.

Your Reference Committee heard testimony reflecting the need for acknowledgement of the potential impact on federal laws and regulations not included in the original language as well as interest in promoting further study of how auto accept policies could potentially affect physicians’ ability to care for patients. Your Reference Committee recommends alternate language to address these concerns.
(2) RESOLUTION 3 - HOSPITAL WEBSITE VOLUNTARY PHYSICIAN INCLUSION

RECOMMENDATION:

Mr. Chair, your Reference Committee recommends that the following alternate resolution be adopted in lieu of Resolution 3 and transmitted to the House of Delegates for consideration at the 2019 Interim Meeting:

RESOLVED, That our AMA encourage medical staff leadership to strongly oppose the actions of hospitals and health systems relating to public-facing search functions, such as websites and physician search sites, that may have a discriminatory effect on independent physicians and other classes of physicians (e.g., by not listing or including in search results any such class of physicians).

Resolution 3 asks that our AMA advocate for regulation and/or legislation requiring all credentialed physicians (employed and voluntary) be equally included on the websites (such as “Find a Doctor” sites) of hospitals and other health care facilities.

Your Reference Committee heard testimony supporting the spirit of the resolution but questioning the feasibility of enforcing hospital website requirements using state and federal regulators and policymakers. Your Reference Committee recommends substitute language that places the onus on medical staff leadership to advocate for such policies.

(3) GOVERNING COUNCIL REPORT A - OMSS HANDBOOK REVIEW: HOUSE OF DELEGATES RESOLUTIONS & REPORTS

RECOMMENDATION A:

Mr. Chair, your Reference Committee recommends that Recommendation 4 in GC Report A be amended by insertion and deletion:

That the OMSS Delegate be instructed to support the educational oppose the intent of Resolution 214-I-19, but question the resolution’s workload direction to the AMA’s Board of Trustees.
RECOMMENDATION B:

Mr. Chair, your Reference Committee recommends that Recommendation 19 of GC Report A be amended by insertion and deletion:

19. That the OMSS Delegate be instructed to support the intent to seek amendment of CSAPH Report 3-I-19 to reflect that AMA action on this issue should be delayed until such time as:
   • Federal laws and regulations permit the use of cannabis for treatment; and
   • Physicians have received adequate training on cannabis withdrawal symptoms.

RECOMMENDATION C:

Mr. Chair, your Reference Committee recommends that GC Report A be amended by addition of a new recommendation:

20. That the OMSS Delegate be instructed to oppose the intent of Resolution 804, Protecting Seniors from Medicare Advantage Plans.

RECOMMENDATION D:

Mr. Speaker, your Reference Committee recommends that GC Report A be amended by addition of a new recommendation:

21. That the OMSS Delegate be instructed to support the intent of any resolutions at the 2019 Interim Meeting asking the AMA to provide free childcare at AMA Annual and Interim Meetings.

RECOMMENDATION E:

Mr. Chair, your Reference Committee recommends that the recommendations in GC Report A be adopted as amended.

Governing Council Report A identifies resolutions and reports relevant to medical staffs that have been submitted for consideration by the HOD at the 2019 Interim Meeting. This report is submitted to the OMSS Assembly to facilitate the instruction of the OMSS Delegate and Alternate Delegate regarding the positions they should take in representing the Section in the HOD.
Testimony on Resolution 809, Resolution 810, and CEJA Report 2 supported the recommendations set forth by the Governing Council, and we therefore recommend no amendments to the Delegate instructions for these items.

Testimony on CSAPH Report 3 suggested that the requested actions are premature given federal laws and regulations barring use of cannabis for medical treatment and the lack of professional guidance for physicians surrounding treatment and management of cannabis withdrawal.

Testimony strongly opposed Resolution 214 as written, disagreeing with the Governing Council’s assessment that there is educational merit in the resolution’s request. We recommend that the Delegate be instructed to oppose Resolution 214.

Testimony suggested that Resolution 804 be added to Report A, with a recommendation to oppose. We found the testimony concerning lack of transparency and the bias of Resolution 804 compelling and therefore recommend that the Delegate be instructed to oppose the intent of this item.

A member of the Young Physician Section requested that OMSS support a still-in-development YPS resolution advocating that AMA provide free childcare at AMA Annual and Interim Meetings. Testimony overwhelmingly supported this idea, and we therefore recommend that OMSS support YPS efforts in this regard.

Governing Council Report A includes the following recommendations, which your Reference Committee has annotated to show recommended amendments:

1. CEJA Report 01 – Competence, Self-Assessment and Self Awareness
   That the OMSS Delegate be instructed to support the intent of CEJA Report 01.

2. Res 203 – Support of Expansion of Good Samaritan Laws
   That the OMSS Delegate be instructed to support the intent of Res 203.

   That the OMSS Delegate be instructed to support the intent of Res 206.

4. Res 214 – AMA Should Provide a Summary of Its Advocacy Efforts on Surprise Medical Bills
   That the OMSS Delegate be instructed to support the educational intent of oppose Resolution 214-I-19, but question the resolution’s workload direction to the AMA’s Board of Trustees.

5. Res 215 – Board Certification of Physician Assistants
   That the OMSS Delegate be instructed to support the intent of Resolution 214-I-19.

6. Res 217 – Promoting Salary Transparency Among Veterans Health Administration Employed Physicians
   That the OMSS Delegate be instructed to support the intent of Resolution 217-I-19.
   That the OMSS Delegate be instructed to support the intent of Resolution 218-I-19.

8. CME Report 03 – Standardization of Medical Licensing Time Limits Across States
   That the OMSS Delegate be instructed to support the intent of CME Report 03-I-19.

9. Res 305 – Ensuring Access to Safe and Quality Care for Our Veterans
   That the OMSS Delegate be instructed to support the intent of Resolution 305-I-19.

10. CMS Report 02 – Addressing Financial Incentives to Shop for Lower-Cost Health Care
    That the OMSS Delegate be instructed to support the intent of CMS Report 2-I-19.

11. CMS Report 03 – Improving Risk Adjustment in Alternative Payment Models
    That the OMSS Delegate be instructed to support the intent of CMS Report 3-I-19.

12. Res 809 – AMA Principles of Medicaid Reform
    That the OMSS Delegate be instructed to seek referral for Resolution 809-I-19.

13. Res 810 – Hospital Medical Staff Policy
    That the OMSS Delegate be instructed to seek referral for resolve one and resolve two and oppose resolve three in Resolution 810-I-19.

    That the OMSS Delegate be instructed to support the intent of Resolution 811-I-19.

15. CSAPH Report 01 – Mandatory Reporting of Diseases and Conditions
    That the OMSS Delegate be instructed to support the intent of CSAPH Report 1-I-19.

16. Res 904 – Amendment to AMA Policy H150.949, “Healthy Food Options in Hospitals”
    That the OMSS Delegate be instructed to support the intent of Resolution 904-I-19.

17. Res 912 – Improved Emergency Response Planning for Infectious Disease Outbreaks
    That the OMSS Delegate be instructed to support the intent of Resolution 912-I-19.

18. CEJA Report 02 – Amendment to E-1.2.2, “Disruptive Behavior by Patients”
    That the OMSS express concern over the conclusions of CEJA Report 2-I-19 and that the report be sent back to CEJA for further work.
19. That the OMSS Delegate be instructed to support the intent seek amendment of CSAPH Report 3-I-19 to reflect that AMA action on this issue should be delayed until such time as:
   - Federal laws and regulations permit the use of cannabis for treatment; and
   - Physicians have received adequate training on cannabis withdrawal symptoms.

20. That the OMSS Delegate be instructed to oppose the intent of Resolution 804, Protecting Seniors from Medicare Advantage Plans.

21. That the OMSS Delegate be instructed to support the intent of any resolutions at the 2019 Interim Meeting asking the AMA to provide free childcare at AMA Annual and Interim Meetings.

(4) RESOLUTION 1 - WHERE WAS THE AMA?

RECOMMENDATION:

Mr. Chair, your Reference Committee recommends that Resolution 1 be referred for report back at the 2020 Annual Meeting.

Resolution 1 asks that a member of the executive body and/or Board of Trustees, who is familiar with this issue, come before the OMSS with an explanation, background, and history of what has transpired at the public relations, policy and actions departments of our organization to justify this lack of a public stance on this important issue.

Your Reference Committee heard testimony reflecting discomfort with the language of the resolution and requesting that it be rewritten to reflect actions the AMA could take going forward instead of examining AMA actions retrospectively. Your Reference Committee recommends referral of the resolution back to the Governing Council for report back at the 2020 Annual Meeting.

(5) RESOLUTION 4 - DRUG SHORTAGE RAPID RESPONSE TEAM

RECOMMENDATION:

Mr. Chair, your Reference Committee recommends that Resolution 4 be referred for report back at the 2020 Annual Meeting.

Resolution 4 asks that our AMA urge the FDA to create a rapid response team to expedite, in a safe manner, the regulatory approval for new and existing manufacturers of pharmaceuticals when the FDA has been notified of a potential or actual drug shortage.

Your Reference Committee heard testimony reflecting the efforts already taken by the FDA to address drug shortages. We recommend referral to the Governing Council for
report back at the 2020 Annual Meeting reflecting the work AMA has done with the FDA and other stakeholders, including but not limited to pharmacists, to proactively address single source, as well as international single source, drug shortages, disseminate wider knowledge of potential shortages and options to remedy those shortages, and greater enforcement of existing federal laws and regulations around notification of drug shortages.
Mr. Chair, this concludes the report of the OMSS Reference Committee. I would like to thank Tariq Butt, MD, Robert Jackson, MD, Don Lee, MD, Katie Lozano, MD, and all those who testified before the Committee.

Tariq Butt, MD

Robert Jackson, MD

Don Lee, MD

Katie Lozano, MD

Nancy Mueller, MD
Chair