As the year draws to a close it is usual to reflect on the events that have occurred. Great attempts were made to fashion a Healthcare Insurance reform package. This not only failed here in California but in other states too. Looming like a black cloud is a budget deficit of greater than 14 Billion Dollars. The Governor has said he will call a special session of the Legislature in the 2nd week of January to deal with it. Currently he plans a 10% across the Board cut. Could it be a Draconian measure for indigent healthcare programs already under-funded?

If the states cannot solve a crisis of Healthcare access due to the many uninsured, could we ponder what might happen if a Democrat, Hillary Clinton, were to succeed and become President? I recall clearly when Ira Magaziner appeared before the CMA 14 years ago. His ideas and plans were so out of sync with how Doctors care for patients it was laughable. You all know what happened. The Hillary ‘pie in the sky’ disappeared. Will it return? Will California adopt a plan that will make care of patients better or not?

If you want an inside track on what to expect in the coming political year and how it will affect your practice by all means come to the Annual Meeting. We have a line up of folks that will help you plan for your future. We want a prosperous New Year for all Americans.

This is also a time to thank all of those who keep CANS running. Number one is Janine Tash. What a gem she is for all of us. Next are the hard working members of the Board and our consultants who give many hours to help all. Special thanks to Phil Lippe, Don Prolo, and our newsletter editor Randy Smith. Most of all it is to our many members who support us. We are the only organized voice for Neurosurgery in California and we carry the message nationally to the AANS and CNS.

Please register for the Annual meeting January 18-20th, 2008. Hotel rooms at Disney’s Grand Californian are going fast. Don’t miss out. I hope to see you there.

**DISNEY DISCOUNT TICKETS**

If you register for the CANS Annual Meeting January 19-20, 2008, you can purchase specially-priced tickets in advance to Disneyland® Park or Disney’s California Adventure® Park (including Disney PARK HOPPER® where you can attend both parks using the same ticket). Also available is the Twilight Convention Ticket which is an ideal option for after meetings; admission is valid for one visit to either park after 4:00pm or 4 hours before park closing, whichever is earlier, since park hours are subject to change. The order CUT-OFF for shipment is January 4, 2008. Your tickets will be shipped via express FED-EX 3-day mail on January 9, 2008. Payment will include a shipping and handling charge of $10.95. Special pricing is available ONLY with your advance, pre-arrival purchase. Box office tickets will be available at the Disneyland® Resort Main Gate Ticket Booth at REGULAR prices.

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See page 5 for more information.
It is noted that the Official Disability Guidelines (ODG) section on treatment of low back injuries and the American College of Occupational and Environmental Medicine (ACOEM) guidelines for low back treatment state their recommendations are based on a literature meta-analysis and scientific publications. One would presume that these organizations are looking at the same database of publications since neither organization has any inherent knowledge and they that look at the data and come up with the recommendations are editorial boards composed of smart docs and others. Therein lies the rub as each organization’s editorial board is unique and necessarily opinionated in one way or another. The table below is my understanding of their recommendations compared one to the other regarding specific diagnostic and treatment titles. I hasten to add that the ACOEM guidelines are still under revision and expansion to become more pertinent to the utilization review and work comp community, are still in draft form and are not yet official or published. They do appear to be well referenced and when published as expected without major additional revision should bring a more comprehensive product into the marketplace.

This presentation of the respective recommendations of the two organizations is not intended to criticize either organization but to point out that determining what constitutes the best scientific evidence is to some extent dependant on who is calling the shots.

<table>
<thead>
<tr>
<th>Rx</th>
<th>ODG</th>
<th>ACOEM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fusion + unstable</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Fusion, DDD</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Discography</td>
<td>+/-</td>
<td>No</td>
</tr>
<tr>
<td>Arthroplasty</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Diagnostic Nerve Block</td>
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<td>No</td>
</tr>
<tr>
<td>Facet Injections</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>RF rhizotomy</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>IDET</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Nucleoplasty</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Acupuncture</td>
<td>Yes in chronic</td>
<td>Yes in chronic case</td>
</tr>
<tr>
<td>Aquatherapy</td>
<td>Yes in chronic</td>
<td>Yes for obese, DJD</td>
</tr>
<tr>
<td>Epidurals</td>
<td>Yes for any root Sx</td>
<td>Yes for acute root Sx</td>
</tr>
<tr>
<td>Oral steroids</td>
<td>+/-</td>
<td>Yes for acute root Sx</td>
</tr>
<tr>
<td>Chiropractic</td>
<td>Yes</td>
<td>No for chronic Sx</td>
</tr>
<tr>
<td>TENS</td>
<td>Yes in chronic</td>
<td>Yes in chronic only</td>
</tr>
<tr>
<td>Muscle relaxants</td>
<td>Yes in acute</td>
<td>Yes in acute only</td>
</tr>
<tr>
<td>Neurontin</td>
<td>Yes</td>
<td>+/-</td>
</tr>
<tr>
<td>Opioids</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>X-Stop</td>
<td>Yes</td>
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</tr>
<tr>
<td>Percutaneous discectomy</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Spinal Cord Stimulators</td>
<td>Yes for neuropathic pain</td>
<td>No</td>
</tr>
<tr>
<td>Standing MRI</td>
<td>No as initial study</td>
<td>No as initial study</td>
</tr>
<tr>
<td>MedEx machine</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Epidural adhesiolysis</td>
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</tr>
<tr>
<td>Neuroreflexotherapy</td>
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<td>Yes</td>
</tr>
</tbody>
</table>

For those of you wondering what Neuroreflexotherapy is, it is a treatment developed in Spain in which staples are implanted for up to 90 days in selected symptomatic areas plus the ear. Epidural adhesiolysis is the injection of hypertonic saline into the epidural space to lyse adhesions (usually post surgical) to quiet down an unhappy nerve root. Neither treatment strikes this surgeon as very likely to work but the two guidelines certainly differ on how it strikes them. ❖
Letter to the Editor

Randy Smith, editor
CANS newsletter

I was disappointed in reading the (November) CANS Newsletter that there was nary a word about happenings at the CMA House of Delegates in October, 2007. The heavy interest on Workers’ Comp. issues matters little to a substantial segment of CANS members who don’t treat WC patients. The efforts we extended in the CMA HoD to kill Pay for Performance, to restore Balance Billing and to reinvigorate the campaign for antitrust relief was likely of great interest to a majority of CANS members. CANS invests considerable resources to send two delegates to the CMA HoD. The California Legislature depends on the CMA, a federation of specialties, to represent physicians of all specialties, and of course the CMA is CANS’ only source for lobbying. That is why what we Delegates do is so important to CANS neurosurgeons. I am sure you know all this.

As a consequence of our successes at the CMA HoD in November very strong Balance Billing and Collective Bargaining resolutions then passed the AMA HoD. The CMA has decided to make antitrust relief its Top Priority because of our efforts in October, according to a message I just received from Elizabeth McNeil, attorney for CMA. Catherine Hanson, formerly of CMA, has joined the AMA team in Chicago to implement this effort in Washington DC. Tom Campbell is again at the forefront of our efforts to gain antitrust relief, directed at a more receptive Democratic leadership of the 110th Congress.

I am concerned you did not receive the report that I wrote after the CMA HoD, so am sending it to you again. I know you have limited space, but it is important to apprise CANS membership of the strong efforts CANS is making to influence policy in Sacramento and Washington.

Sincerely,
Don Prolo, M.D.

Editor’s Note: Dr. Prolo’s report is reproduced on the next page in its entirety.

Editor’s Reflection:

Looking back on 2007, I can’t say I spent more time crying than laughing though what constitutes comedy seems to be contracting and what passes for pathos more protracted. Since I am basically retired, I continue to be amazed at how my practicing colleagues continue to hold forth in treating the ill ‘midst the medical/political/regulatory environment that is barely in better shape than the patient. My very best wishes to you noted above for 2008 and know you will heal more than anticipated and slip less than predicted.

To those like me who are no longer listed in the active line-up, enjoy just watching the game, remember none of us batted or fielded 1000 when we played and be not too critical of the rare boot at 2nd base by the neurosurgeon in the game.

Randy Smith, M.D.
Editor
The 136th Annual Meeting of the CMA House of Delegates (HoD) was ushered in by President Anmol Mahal, MD and closed with the ascension of Richard S. Frankenstein of Garden Grove to the presidency. It was one of the most substantive, successful meetings for addressing major problems in the every day practice of medicine.

Two revolutionary, militant resolutions on balance billing and pay-for-performance were passed by the assembled delegates over reference committee disapproval:

RESOLVED: That the CMA ask the AMA to devote the necessary political and financial resources to introduce national legislation to bring about implementation of Medicare balance billing by January 2009 and to end the budget neutral restrictions of the current Medicare physician payment structure that interferes with patients’ access to care.

RESOLVED: That CMA finds that pay-for-performance and public reporting programs pose more risks to patients than benefits and calls for an immediate cessation of such programs by private and public third party payers; and that CMA advise the Secretary of Health and Human Services and the Ambulatory Care Quality Alliance (AQA) that the CMA will no longer participate in the creation, development or implementation of the Secretary’s “Transparency Initiative” or other pay-for-performance programs.

These resolutions more than any other affect the every day practice of medicine by all physicians and represent major changes in policy by the CMA. A CANS sponsored resolution to allow the interstate purchase of insurance to promote affordability and decrease the uninsured failed. Delegates were concerned over losing some protections provided by the State Legislature in mandating specific coverage and the loss of state legislation requiring compliance with payment clauses in contracts, this in spite of testimony that the out-of-state payers are often the most lucrative.

A CANS resolution to end economic profiling did pass: RESOLVED that CMA take all appropriate steps to actively oppose all efforts by third party payers to rank, profile or otherwise score physicians for cost containment purposes and that this matter be referred for national action. Economic profiling, the tiering of physicians according to their cost effectiveness and the steering of referrals to physicians least expensive for given CPT codes is a heinous practice unrelated to the quality of care and often based on faulty and/or limited information.

Other actions included a reaffirmation that CMA considers single payer government provided insurance unacceptable under its commonly expressed formats, and the CMA continued to renounce or even be neutral on the issue of physician-assisted suicide.

New CEO and former Senator Joe Dunn apprised delegates of structural deficits in CMA finances. The CMA office in Sacramento with combined purchase and remodeling costs of $8.5 million and with a present value of $5 million was an ill-advised venture. Budgetary deficits had been closed by previous leadership of CMA through “band-aid” approaches. Further, the once lucrative Audio-Digest has been losing $1 million annually and is now being sold. Delegates voted to increase dues by $45 per year to $590. Despite budgetary shortfalls the CMA team for legislative advocacy led by Dustin Corcoran has been amazingly successful in Sacramento implementing CMA policy. This includes the killing of Governor Schwarzenegger’s 2% proposed tax on physicians’ gross income as part of his financing plan in the health care reforms for the uninsured.

One-third of CMA staff has departed. Catherine Hanson, lead attorney for CMA for the last 20 years, now works at the AMA offices in Chicago. Deborah Winegard, recruited from Georgia, is the new CMA general counsel. Dean Chalios, Director of CALPAC, has been replaced by David Pruitt in that position.

Now is the time for 25 CMA Delegates to convene with the 543 member AMA House of Delegates’ Interim Meeting November 9-13 and to implement the policies passed by the CMA HoD on a national stage. Stay tuned.
CANS Annual Meeting - a family event  
January 19-20, 2008  
Disney’s Grand Californian® Hotel & Spa, Anaheim, CA

Take advantage of the Martin Luther King holiday weekend to spend time at the Disneyland® Resort and bring the kids where you will have no worries about reimbursement, Medicare cuts, ER coverage, etc. etc., etc. If you register for the Saturday meeting only, you can go to the Disneyland® Resort on Sunday; if you register for Sunday’s QME course, plan to stay over and go to the Disneyland® Resort on Monday which is a holiday!

Saturday’s program is titled “Neurosurgeons in Economic Fantasyland.” Socio-economic topics affecting daily practice will be of interest to all neurosurgeons. Assembly Member Hector DeLaTorre and Senator Alex Padilla, among other speakers, will be on hand to speak about healthcare in California.

Sunday will feature a 12-hour Disability Evaluation Report Writing class (required for pre-QME qualification). This class is also accredited for QME continuing education credit. This course is the required class for all physicians who want to become a QME in California. In addition, this class gives continuing education credit to current QMEs. *This is a one-day, 8-hour classroom seminar, with 4 hours of home study. Attendees will also receive a valuable workbook with templates, sample reports, rating charts, etc.

See the next two pages for complete agenda and meeting registration form. Hotel rooms can be reserved by calling the Grand Californian at 714 520-5005 by January 2, 2008.


REMEMBER : Tickets must be ordered by the January 4, 2008 deadline.
FRIDAY  January 18, 2008

1:00-5:00 pm  Board Meeting (all members welcome)
6:30-8:30 pm  Opening Reception

SATURDAY  January 19, 2008

HEALTH CARE TODAY:
DOCTORS, PATIENTS AND POLITICIANS, UNIONS AND BIG BUSINESS....
WHO PAYS & WHO SUFFERS??

7:30-8:15 am  Continental Breakfast/Visit Exhibits
8:15-8:30  CANS Business Meeting, Patrick J. Wade, MD, CANS President
8:30-8:50  Neurosurgery and Pay-for-Performance
Robert E. Harbaugh, M.D., Chair, Department of Neurosurgery, Penn State Milton S. Hershey Med Center
8:50-9:00  Q/A
9:00-9:25  Health Care: The Legislative Process
Senator Alex Padilla, D-Pacoima
9:25-9:35  Q/A
9:35-10:00  State of Health Care in California
Assembly Member Hector De La Torre, D- South Gate, Chair, Assembly Rules Committee
10:00-10:10  Q/A
10:10-10:30  break/visit exhibits
10:30-10:55  Changing Attitudes Towards Health Care
Stephen M. Kinney, Public Opinion Strategies, Redondo Beach, CA
10:55-11:10  Q/A
11:10-11:30  Emergency Room Reimbursements, William L. Caton III, M.D., CANS First Vice-President
11:30-11:45  Q/A

11:45-1:00  Physician/Exhibitor Luncheon

Roundtable Discussion with Academics
1:00-1:30pm  1. Austin Colohan, M.D., Loma Linda
1:30-1:45  2. Steven Giannotta, M.D., USC
1:45-2:00  3. Mark Linskey, M.D., UCI
2:00-2:15  4. Lawrence Marshall, M.D., UCSD
2:15-2:30  5. Neil Martin, M.D., UCLA
2:30-2:45  break/visit exhibits
2:45-3:00  6. Michael McDermott, M.D., UCSF
3:00-3:15  7. Paul Muizelaar, M.D., UCD
3:15-3:30  8. Lawrence M. Shuer, M.D., Stanford
3:30-3:45  9. Javed Siddiqi, M.D., Arrowhead Regional Medical Center

6:30 pm  Cocktails/Dinner/Entertainment by magician Carl Wilson

SUNDAY  January 20, 2008

QME Workshop presented by Livingstone-Lopez Consulting
(breakfast and lunch included)

7:30-8:00am  Continental Breakfast
8:00-4:30 pm  12-hour Disability Evaluation Report Writing Seminar
(8 hours classroom session and 4 hours home study)
CANS ANNUAL MEETING 2008 REGISTRATION FORM
Disney’s Grand Californian Hotel® & Spa in Anaheim, CA, January 19-20, 2008

Name (please print)________________________________________________________________________
Neurosurgeon___  other (please specify)_____________________  Telephone___________________________
Address ______________________________________________ Fax_______________________________
City/State/ZIP__________________________________________ E-mail_____________________________

1. Saturday Meeting January 19 (includes lunch)
   CANS Members $175 _____  Senior Members $100 _____
   Non-Members $195 _____  Residents no charge
   ** (If this form is returned before December 15, physicians can deduct $25 from meeting registration fee. No discounts are available for the banquet.)

2. Sunday QME Seminar January 20 (includes lunch)
   CANS Members $ 325 _____  ($295 if registered by Dec. 15)
   Non-Members $ 350 _____  ($325 if registered by Dec. 15)

3. Banquet Saturday, January 19  Cocktails 6:30 pm; Dinner 7:30 pm
   (Dinner includes appetizer, salad, wine, dessert and magic entertainment by Carl Wilson)
   Per Person       $100 _____  Name __________________________  Filet__  Salmon__  Veg___
   Guest (over 21)  $100 _____  Name __________________________  Filet__  Salmon__  Veg___
   Guests (10-20)   $ 75  _____  Name __________________________  Filet__  Salmon__  Veg___
   Children (3-9)    $ 40  _____  Name(s) ______________________________ (under 3 free)

   TOTAL AMOUNT DUE by January 2, 2008 $________

No refund requests will be accepted after January 2, 2008 so that quantities can be guaranteed with the hotel. Thank you.

Payment Information:
1. Check enclosed (payable to CANS) _____ or
2. Please authorize use of VISA _______ or MasterCard _______
   Card number ____________________________ Expiration ______________
   Name on card: ____________________________ Signature ____________________________
   Address if different from above __________________________

Mail registration/payment to:
CANS, 5380 Elvas Avenue, Suite 216, Sacramento, CA 95819 or fax 916 457-8202.

Rooms: Call Disney’s Grand Californian® Hotel & Spa 714 520-5005 by 5:00 p.m. January 2, 2008 to ensure a room at the group rate of $213.00. Please check here when you have made your reservations. _____

Contributions to the California Association of Neurological Surgeons are not tax deductible as charitable contributions; however, they may be tax deductible as ordinary and necessary business expenses.
CANS Annual Banquet and Award Presentation

Saturday evening (January 19, 2008) dinner tickets can be purchased on the registration form on page 7. Entertainment will feature Carl Wilson, whose astonishing magic arts will amaze you.

Entree choices are Filet Mignon or Cedar Plank Salmon and, of course, a vegetarian option is available. To encourage families to attend, there is a special children’s menu for kids ages 3-9.

Dr. Martin Weiss will be CANS’ honored guest and recipient of the Pevehouse Distinguished Service Award.

We hope you will attend this event!

Neurosurgical Positions

Any CANS member who is looking for a new associate/partner/PA/NP or who is looking for a position (all California neurosurgery residents are CANS members and get this newsletter) is free to submit a 150 word summary of a position available or of one’s qualifications for a one time posting in this newsletter. Submit your text to me by E-mail (rws-avopro@sbcglobal.net) or fax (858 683-2022).

Questions or comments can be sent to the editor, Randall W. Smith, M.D., at rws-avopro@sbcglobal.net or to the CANS office at janinetash@sbcglobal.net. Past issues of the monthly newsletter are available on the CANS website at www.cans1.org. The newsletter is a mix of fact, rumor and opinion. The facts are hopefully clearly stated. The rest is open to interpretation. The opinion is mine. R.S. The assistance of Janine Tash and Patrick Wade, M.D. in the preparation of this newsletter is acknowledged and appreciated. If you do not wish to receive this newsletter in the future, please E-mail or fax Janine Tash janinetash@sbcglobal.net, (916-457-8202) with the word “unsubscribe” in the subject line.

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