



CANS

NEWSLETTER

December 2007

CALIFORNIA ASSOCIATION OF NEUROLOGICAL SURGEONS, INC.

Volume 34 Number 12

President's Message

Patrick J. Wade, M.D.

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. ❖

See page 5 for more information.

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Guidelines Still an Opinion

Randall W. Smith, M.D., Editor

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.

<u>Rx</u>	<u>ODG</u>	<u>ACOEM</u>
Fusion + unstable	Yes	Yes
Fusion, DDD	Yes	No
Discography	+/-	No
Arthroplasty	No	No
Diagnostic Nerve Block	Not addressed	No
Facet Injections	Yes	No
RF rhizotomy	Yes	No
IDET	No	No
Nucleoplasty	No	No
Acupuncture	Yes in chronic	Yes in chronic case
Aquatherapy	Yes in chronic	Yes for obese, DJD
Epidurals	Yes for any root Sx	Yes for acute root Sx
Oral steroids	+/-	Yes for acute root Sx
Chiropractic	Yes	No for chronic Sx
TENS	Yes in chronic	Yes in chronic only
Muscle relaxants	Yes in acute	Yes in acute only
Neurontin	Yes	+/-
Opioids	Yes	Yes
X-Stop	Yes	Not addressed
Percutaneous discectomy	No	No
Spinal Cord Stimulators	Yes for neuropathic pain	No
Standing MRI	No as initial study	No as initial study
MedEx machine	Yes	No
Epidural adhesiolysis	+/-	No
Neuroreflexotherapy	No	Yes

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

CMA House of Delegates: GIANT STEPS FORWARD FOR MEDICINE

Donald J. Prolo, M.D.

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. ❖

The meeting was held at the Disneyland Hotel, Anaheim, October 26-29, 2007;
Donald J. Prolo, MD Delegate; Patrick J. Wade, MD, Alternate Delegate

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. AssemblyMember 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.*

Go to <http://conventionguest.com/cans> for discounted 2008 ticket prices to the **Disneyland® Resort.**

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

CALIFORNIA ASSOCIATION OF NEUROLOGICAL SURGEONS
Schedule of Events - January 18-20, 2008

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
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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	<i>break/visit exhibits</i>
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)*

7:30-8:00 am *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.

CANS office use:

log _____
 conf sent _____
 pgm book _____
 name tag _____
 check # _____
 date _____
 cc settled _____
 QB ledger _____

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).

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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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