

OSTEOFAX

A Membership Publication of the Ohio Osteopathic Association

- The OOA joined the Ohio Hospital Association and Ohio State Medical Association, July 30, in filing another **amicus brief in the Ohio Supreme Court** to support what is commonly referred to as the “**I’m Sorry Statute**” (ORC 2317.43). The language was originally enacted as part of HB 215, effective September 2004, and was part of comprehensive tort reform passed by the Ohio General Assembly that year. It specifically applies to Ohio’s medical community and precludes communications or gestures of empathy or consolation by doctors to patients or their families from being used to establish liability against the physician. In this case, *Johnson v. Smith*, the trial judge heard testimony of the witnesses outside the presence of the jury to determine whether the statements made by the physician fell within the statute and should be excluded as a result. Based on the testimony of all the witnesses, the judge determined the doctor’s statements should be excluded. The Court of Appeals gave no deference to the trial court’s findings and reversed the jury verdict to allow the “apology testimony” to be presented to the jury. The amicus brief supports the position that the Court of Appeals erred in its decision and the apology testimony should have been excluded. The OOA, OHA and OSMA have filed more than a dozen briefs in Supreme Court cases.
- The OOA became the first AOA divisional society to ever win the **STAR Award**, which was presented to OOA President **John F. Ramey, DO** during a special luncheon at the AOA House of Delegates, July 20-22. The award is designed to recognize affiliate organizations that make significant contributions to advancing the profession-wide goals identified in the AOA strategic plan. The American College of Osteopathic Radiologists was also recognized as the first-ever winner in the specialty category. **David W. Smith, DO**, of Massillon, was also honored at the luncheon as an osteopathic pioneer for his contributions as an orthopedic surgeon. During the House, AOA Past President **George Thomas, DO**, of Cleveland, delivered the prestigious **AT Still Memorial Address**. Dr. Thomas also serves as chair of the Ohio delegation. Read a summary of his remarks at <http://bit.ly/MG8qcn>.
- OOA President **John F. Ramey, DO**, participated in **OU-HCOM’s 37th Convocation and White Coat Ceremony**, July 28, as 139 aspiring physicians were welcomed into the Ohio osteopathic family. All students received their short white coats with an OOA armpatch as a gift from the Ohio Osteopathic Foundation as well as a copy of *A Second Voice: A Century of Osteopathic Medicine in Ohio*, compliments of the Osteopathic Heritage Foundations. Prior to the ceremony, Ramey presented the new OU-HCOM dean, **Kenneth H. Johnson, DO**, who assumes his position August 20, with his own white coat, complete with armpatch. Ramey also presented an OOA presidential proclamation to outgoing dean, **Jack Brose, DO**, who is retiring and will be filling a new position with the Ohio University Provost’s Office. Ohio Supreme Court Justice Yvette McGee Brown, JD, and David L. Bronson, MD, president of the Cleveland Clinic Regional Hospitals and current president of the American College of Physicians, received Phillips Medals of Public Service and delivered inspirational remarks to the incoming class.
- The OOA has been well represented at the Professional Education Task Force of the Governor’s Cabinet Opiate Action Team (GOCAT), which has been meeting to develop **responsible prescribing guidelines for Ohio’s clinicians**. One critical area of focus has been identifying where provider education is needed to achieve appropriate pain management and where rules are needed to assess provider performance. The group has purposely placed the trigger for performance assessment at a level of opiate use associated in the literature with an increased rate for unintentional overdose and death. The CDC has provided technical assistance in this effort. About 114 organizations have been participating in the discussions and they are now being asked to clarify and fine-tune the language within the next 30 days. DOs participating in the discussions include **R. Aaron Adams, DO**; **Michael V. Bourne, DO**, **Maury L. Witkoff, DO**; and **Cleanne Cass, DO**, who is the OOA’s official representative. Ohio Department of Health Director Ted Wymyslo, MD, and Ohio Department of Aging Director Bonnie Cantor-Berman, co-chair the task force.

Ohio Osteopathic Association

PO Box 8130 • Columbus, Ohio 43201 • 800-234-4848 • 614-299-2107 • fax: 614-294-0457 • www.ooanet.org

A subscription to OSTEOFAX is included when you join the OOA. To unsubscribe, call the OOA or send an e-mail to jbarnhart@ooanet.org

- Several OOA leaders have been actively involved in advocating for the profession by meeting with local state legislators and attending fundraising activities on behalf of the Ohio Osteopathic Political Action Committee (OOPAC). Thank you to **Paul A. Martin, DO**, of Dayton; **Peter A. Bell, DO**, of Columbus; and **Simon Fraser, OMS II**, of Athens/Columbus for participating in recent events. To make an online donation to OOPAC, go to www.ooanet.org, and select “OOPAC” under the “Government” tab on the navigation bar. You can also sign-up to be a key contact with your local legislator by filling out the form in the Tool Box section, which is part of the same drop down index under “Government.”
- Kudos to the new **Western Reserve Academy of Osteopathic Medicine** on a great event, held July 26, to kick-off the new district and welcome residents and students training at St. Elizabeth’s Hospital in Youngstown and St. Joseph’s Medical Center in Warren. The reception was attended by about 80 physicians, students, residents, hospital officials, and guests. Special guests included top officials from the two hospitals. **Sharon George, DO**; **John Vargo, DO**; and **John C. Baker, DO**, welcomed participants on behalf of the new district. OOA President **John F. Ramey** challenged the District to restructure activities around the OOA’s strategic plan of Governance, Research, Advocacy and Teamwork (G.R.E.A.T. Family of Ohio DOs).
- Governor Kasich announced, July 27, that he will **transform Ohio Medicaid into its own state agency**, eliminating it as a division of the Ohio Department of Job & Family Services. The Office of Ohio Health Plans, as it is currently named, would become its own department effective July 1, 2014. Kasich said the move is intended to improve the performance of the \$18.8 billion program. Currently, ODJFS is the state department responsible to the federal government for the administration of the state’s Medicaid program. But five other state agencies—Developmental Disabilities, Mental Health, Aging, Health, and Alcohol and Drug Addiction Services—also administer Medicaid-funded programs, with cross-agency coordination provided by the Office of Health Transformation. The proposal will be part of Kasich’s 2014-2015 biennial budget released next year.
- If your office has not yet converted from the 4010A1 Medicare Remittance software, effective August 1, the Medicare Fee-For-Service (FFS) program will automatically convert electronic remittance advice to the **X12 Version 5010**. If the computer software your office is using to open/translate the electronic remittance advice is not ready for this conversion, your staff may not be able to open and review payments, adjustments, and denials or post payments to patient accounts. If you use a vendor, clearinghouse, or billing service and experience problems with the new format, you **MUST** contact your vendor, clearinghouse, or billing service first before contacting CGS Medicare. Billing staff that make inquiries on your behalf will need to have a copy of the remittance advice.
- CGS, which provides a variety of services for Medicare beneficiaries, health care providers, and medical equipment suppliers in 33 states, has launched a **free internet-based provider self-service portal**. The **myCGS** application allows physician offices to securely access information online, including patient eligibility; Medicare claims status; view and print Medicare remittance advices (RAs); and provider financial information such as claims in an approved-to-pay status and the last three checks paid. You can participate in myCGS if you have a signed electronic data interchange Enrollment Agreement on file with CGS. For instructions to sign-up, user tips, FAQs, and more, go to www.cgsmedicare.com/ohb/myCGS/index.html.
- It’s no secret that Ohio has been one of the top states for storm-related damage in recent years. According to some reports, storm damage claims in Ohio for 2011 exceeded \$500 million. This can affect your practice commercial property and business owners policies, because most carriers are increasing their rates. The **OOA Insurance Agency** can help! We offer more than just professional liability insurance. As your business owners or commercial property coverage come up for renewal, contact us to discuss options. Call Joe Pannitto at 1-800-769-4624 or e-mail him at jmpannitto@ooainsuranceagency.com.
- **Call for Presenters!** Interested in speaking at the 2013 Ohio Osteopathic Symposium? Applications are currently being accepted for the annual CME conference, which is May 16-19 at the Hilton Columbus at Easton. **The deadline for submissions has been extended to November 1.** To get the application, call the OOA Office at 800-234-4848, or send an e-mail to Laura Whitt at lwhitt@ooanet.org.