

NYCMS
News Capsules
April 2, 2021

NYS Legislature Passed Repeal of COVID Legal Protections: The New York State Senate has now passed legislation (**S.5177**) to repeal the COVID liability protections that were enacted in last year’s State Budget for physicians and other providers; the Assembly passed the “same-as” legislation (**A.3397**) recently. The bill will be sent to the Governor for his signature, but to date he has not announced whether he will sign or veto it.

We have urged the legislature to oppose A.3397/S.5177. These legal protections are still needed right now for the front-line health care workers who are managing New York’s thousands of new COVID cases – especially since we are seeing an increasing penetration of more easily spread variants. MSSNY had also warned that a court *could* possibly interpret S.5177/A.3397 to retroactively repeal liability protections for care rendered during the pandemic’s height in 2020, when there were no clear protocols for COVID treatment and many non-COVID services were required to be postponed. The general rule is that legislation is presumed to be applied prospectively unless there is clearly defined statutory intent to the contrary; and, in fact, several legislators did say they believed the repeal provisions would only apply prospectively. However, the issue of interpretation may still be open to debate, so please stay tuned for further updates.

Senate Passes Bill to Suspend 2% Medicare Cuts Through December 31, 2021: The Senate has expedited passage of a version of a House bill passed last week, which would extend the moratorium of 2% Medicare sequestration cuts through December 31, 2021. The House is expected to pass the Senate language when it returns from its recess in mid-April.

NOTE: All the Medicare Administrative Contractors (MACs), including National Government Services (NGS), have been instructed to **hold all claims with dates of service on or after April 1, 2021, for a short period.** (The Centers for Medicare/Medicaid Services (CMS) says the delay will be so short that it won’t affect providers’ cash flow, but you should still be aware of what’s going on.) According to CMS, “This will minimize the volume of claims the MACs must reprocess if Congress extends the suspension. [If necessary], the MACs will

automatically reprocess any claims [that have already been] paid with the reduction applied.”

Nominated: The following members were nominated by the Society’s Nominating Committee for election in June, 2021, at which time Keith LaScalea, MD, will become president. We congratulate:

Officers

Erick Eiting, MD, President–Elect
Thomas Sterry, MD, Vice President
Jessica J. Krant, MD, MPH, Secretary
Loren Wissner Greene, MD, Assistant Secretary
Jill Baron, MD, Treasurer
Stuart Gitlow, MD, Assistant Treasurer
Arthur Cooper, MD, Trustee

Board Members At Large

Sarp Aksel, MD
Michael Borecky, MD
Connie DiMari, MD
Michelle Kim, MD
Maria LoTempio, MD
Henry Magliato, MD
Mark Milstein, MD
Purvi Parikh, MD
Richard Schutzer, MD
Ami Shah, MD

Delegates to the Medical Society of the State of New York

Arthur Cooper, MD
Stuart Gitlow, MD
Paul Orloff, MD
Edward Powers, III, MD
Richard Schutzer, MD

Help for the Pressures of Practice: MSSNY’s Peer2Peer program is here to help with the stresses of COVID–19 and practice in general. If you want a sympathetic

ear, contact the program at (844) P2P–PEER or p2p@mssny.org, not for treatment, but casual conversation, to talk it out with someone who understands. You will receive a one–time confidential discussion with a peer supporter. The peer supporter is a trained medical professional who will not provide actual psychiatric treatment, but will simply share experiences, listen without judgment, validate your feelings, and provide you with support, empathy and perspective. Peer supporters can provide information on specific organizations that can support you (if you wish), and can provide you with positive coping skills. They can also help connect you to professionals if you feel you need more focused assistance. Any physician, resident, or medical student who wishes to chat with a peer supporter, may contact MSSNY (note: all calls and emails will remain strictly confidential). **Please know that whatever your situation, you are not alone. MSSNY P2P is here to help.**

April 21, 2021, at 7:30 a.m.: *COVID-19 & Mental Health of Children and Teens.* Click [here](#) to register for this webinar. The COVID–19 pandemic has affected the entire population’s mental health; this program, part of MSSNY’s Medical Matters CME series, is about how children and teens have been affected. Linda Chokroverty, MD will serve as faculty.

Wednesday, April 21, 2021, at 6:00 p.m.: *Social Media in Medicine: A Beginners’ Guide to Social Media for Physicians.* [Register here](#) for this virtual webinar, with MSSNY Vice President Parag H. Mehta, MD, and MSSNY YPS Chair Daniel E. Choi, MD. Topics include: Introduction to popular social media physician communities: #MedTwitter, Instagram, YouTube, TikTok; and how to establish a social media presence and grow your audience.

Thursday, April 22, 2021, 7:30 a.m.: *Military Culture: Everything Physicians Need to Know about Veterans as Patients.* Click [HERE](#) to register for this live webinar, part of MSSNY’s Veterans Matters series; view the program flyer [HERE](#). For more information, contact Jangmu Sherpa at jsherpa@mssny.org or call (518) 465–8085.

Save the Date: Wednesday, May 5, 2021, at 6:00 p.m.: The Society and the Doctors Company presents a CME webinar, *Telehealth in the Age of COVID–19*

& Beyond, with Doctor David Feldman, Chief Medical Officer of TDC Group of Companies and Senior Vice President, Healthcare Risk Advisors. Sign up information to come.

Save this date, too: Thursday, May 27, 2021, at 6:00 p.m.: Look for the initial entry in the Society's Grand Round Series, ***The Role of Non-Psychiatric Physicians in Identifying and Addressing Covid-Related Mental Health Symptoms***, with Doctor William Tucker, Clinical Professor of Psychiatry at Columbia P&S. Sign up information to come.

Financial Help with Funeral Expenses for COVID-Related Deaths: Starting early in April, 2021, FEMA (the U.S. Federal Emergency Management Agency) will begin providing financial assistance for funeral expenses incurred after January 20, 2020, for deaths related to coronavirus (COVID-19), to help ease some of the financial stress and burden to affected families caused by the pandemic. FEMA is now moving rapidly to implement this funeral assistance program nationwide. For information, click [HERE](#).

Check Out CardConnect: The Society is working with CardConnect to provide custom, cost effective payment solutions for members that are already accepting or looking to accept credit cards. Check out the better pricing and convenience. **Contact Mark Bristow**, (914) 506-1984. mbristow@cardconnectpartners.com

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***For our members who are celebrating,
Happy Easter!***