

**E-Update April 12, 2024**



**Medical leadership for mind, brain and body.**

The weekly E-update is the tool by which MPA members can share information or announcements with each other. It is a member benefit and the mechanism by which MPA shares important notices regarding trends in psychiatry, pharmaceutical updates, information about your medical practice, advocacy, your opinions, and job opportunities. Members are encouraged to make the content their own. Please submit items for weekly publication by Thursday at 5pm. Your email addresses are protected by the DB and not for sale or use by any other entity besides the DB. Content should be pertinent to the practice of psychiatry or related medical information. Review the E-update highlighted titles and attachments for content and action steps. We value your input and attention to your specialty! Any item that appears in **royal blue** contains a link for detailed information on the topic. Questions regarding membership status are referred to our APA Membership Coordinator go to [mstewart@psych.org](mailto:mstewart@psych.org).

### **This Week at the Capitol**



Wednesday, April 10<sup>th</sup> was the deadline for general bills to clear the floor if they originated in the opposite Chamber. It was hectic but positive and many of the bills that MPA has worked on or collaborated with others on are continuing to make their way toward the finish line. If things stay moving, there is the possibility of finishing the session before the current end date in early May. Today and over the weekend, the Senate will name their conferees so that work can begin in conference by all members of the Legislature next week.

One of the biggest items that remains to be decided is expansion of Medicaid. The family of medicine has stood in support of this effort but it all comes down to the negotiations of 6 elected officials in Rep Missy McGee, Rep Sam Creekmore and Rep Joey Hood. The Senate is expected to name Senators Kevin Blackwell, Nicole Boyd and John Horhn. Leadership from both Chambers wants the process to be transparent so it should happen in rooms that are linked to public video broadcasts like the old Supreme Court Chamber Room 216 in the Capitol. You will receive separate notice and links to hear/see it when that becomes available. A side by side comparison of both the House and Senate are provided below.

### **Expanding Access to Care for Working Low-Income Mississippians**

**HB 1725 and Conference**

We anticipate Senate conferees to be named soon to join Reps Creekmore, McGee and Hood as both chambers begin negotiations on a final bill with and April 29th deadline to file a conference report.

**BELOW IS A COMPARISON OF THE PLANS:**

**AS HOUSE PASSED IT**

**AS SENATE PASSED IT**

**Estimated people covered**

200,000

**Estimated people covered**

40,000

**Start date**

For the work requirement to go into effect, it will need to be approved by the federal government by Sept. 30, 2024. Whether or not the work requirement is approved, expansion would go into effect Jan. 1, 2025.

**Start date**

Expansion would go into effect if or when the federal government approves the work requirement. That is unlikely to happen under the Biden administration, which has rescinded work requirement waivers previously granted under other administrations and has not granted new ones. Therefore, it is likely that Medicaid would not be expanded under the Senate plan until well into a new presidential term. Expansion would go into effect 30 days after the work requirement is approved.

**Income eligibility**

For those making up to 138% of the federal poverty level.

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**Federal funding**

Mississippi would receive the enhanced federal funding incentives granted to newly expanded states by the Affordable Care Act. Funds collected from a two-year bonus would make expansion free to the state for a total of four years, after which Mississippi Medicaid

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Mississippi would not qualify for enhanced federal funding incentives under the Senate's proposal, which is not considered "expansion" according to the Affordable Care Act. The state would receive no bonus and only its regular 77% federal match. The state would

would receive a 90% federal match. It would put about \$1.2 billion into circulation that the state economy would not otherwise see.

#### **Recertification**

No recertification requirements.

#### **Work requirement**

Work requirement is included in Section 1 as a “best case scenario,” but Medicaid would be fully expanded even if the Centers for Medicare and Medicaid Services does not approve the waiver needed for the work requirement. If it were approved, the work requirement is 80 hours a month.

turn down about \$1.2 billion federal dollars and would leave the cost of the expanded coverage up to the state.

#### **Recertification**

Enrollees would have to submit recertification four times a year.

#### **Work requirement**

Expansion is entirely contingent on a work requirement being approved by the federal government. The provision requires 120 hours of work a month – more stringent than Georgia’s plan, currently the strictest expansion plan in the country, which requires 80 hours.

### **Sunday, May 5: PRMS and SPA Annual Spring Reception**

We are thrilled to announce that our Annual Spring Reception, co-hosted by PRMS and the Southern Psychiatric Association, will take place on Sunday, May 5, 6:00 to 8:00 pm, in New York! If you plan to attend the meeting, we hope you and your members will join us at the reception at the Skylark in NYC!

### **Southern Psychiatric Association Meeting Dates for 2024**

Mark your calendar now for the 2024 meeting with the Tennessee Psychiatric Association:  
September 11 – 14, 2024      Westin Hotel in Chattanooga, Tennessee

### **Thanks to Everyone Who Attended the MPA/LPMA Annual Meeting in Baton Rouge, LA**

Thank you for participating in the MPA/LPMA meeting...we had a great time connecting with everyone and considered the weekend a SUCCESS!

The LPMA website has been updated with the following items:

- Speaker Presentations (only presentations allowed to be shared) : [https://www.lpma.net/content.aspx?page\\_id=22&club\\_id=547057&module\\_id=651093](https://www.lpma.net/content.aspx?page_id=22&club_id=547057&module_id=651093)  
- Poster Competition

Winners: [https://www.lpma.net/content.aspx?page\\_id=22&club\\_id=547057&module\\_id=650218](https://www.lpma.net/content.aspx?page_id=22&club_id=547057&module_id=650218)  
- CME

Information: [https://www.lpma.net/content.aspx?page\\_id=22&club\\_id=547057&module\\_id=651096](https://www.lpma.net/content.aspx?page_id=22&club_id=547057&module_id=651096)

We also have a special Google Drive folder with photos from the weekend from LPMA member, Dr. David Post: [https://drive.google.com/drive/folders/10mIx7i-m3nNSE7qo\\_Nuh-dB7zq8\\_7j5C?usp=sharing](https://drive.google.com/drive/folders/10mIx7i-m3nNSE7qo_Nuh-dB7zq8_7j5C?usp=sharing)

Please also don't forget to take the meeting survey. Your feedback is important to the development of future meetings and programming.

>> <https://forms.office.com/Pages/ResponsePage.aspx?id=rYb3TQI3006c7YDHZlWQo5NMSeL1HJ1Gh7I8qJ-K6rFUQjg1T05EWkNMS1hUVIJXTVIyQzBQTEsyQS4u> <<

Our sponsors and exhibitors also play a huge role in the meeting. Thank you again for taking time to visit with them. More to come about future date and location as MPA is the lead state in 2025.

### **Case of the Quarter: Termination**

Written by

Professional Risk Management Services® (PRMS®)

Claims Department

*The "Case of the Quarter" column is a sample case study that highlights best practices in actual scenarios encountered through [PRMS' extensive experience in litigation and claims management](#). Specific names and references have been altered to protect clients' interests. This discussion is for informational and education purposes only and should not be relied upon as legal advice.*

#### **Facts:**

Dr. Spring was treating a patient, Ms. Flowers, who was non-adherent to his treatment plan. She frequently cancelled appointments and self-adjusted her medications. Dr. Spring decided to terminate the treatment relationship and to begin that process by telling Ms. Flowers at her appointment that week. Dr. Spring told Ms. Flowers the reasons he was terminating the relationship and that he would cover her for 30 days. He noted that she had enough medicine to carry her through for the month. Dr. Spring also gave her some provider referrals and said that with her authorization he would make her records available to the new provider. Ms. Flowers said she understood and they parted amicably. Dr. Spring emailed and mailed (certified mail, return receipt requested) a letter to Ms. Flowers detailing everything they had discussed regarding terminating the treatment relationship and specifying the date on which his 30-day coverage would end. He documented the steps he had taken in the patient's chart.

Although Ms. Flowers found a new psychiatrist within 30 days, she filed a complaint with the state's Board of Medicine alleging Dr. Spring abandoned her. The Board notified Dr. Spring that it was investigating her complaint and requested a copy of the records.

#### **Allegation:**

Ms. Flowers alleged that Dr. Spring ended their treatment relationship without adequate warning and without sufficient medication refills; thus, abandoning her.

#### **Defense:**

Dr. Spring immediately reported the Board's investigation to his malpractice carrier and asked for an attorney to represent him. The attorney talked with Dr. Spring to learn what happened and reviewed Ms. Flowers' medical record. The attorney reviewed the Board's notice to Dr. Spring and informed the Board that he was representing Dr. Spring. Together,

the attorney and Dr. Spring drafted a letter to the Board setting forth Dr. Spring's credentials and experience and explaining the steps Dr. Spring took when terminating treatment with Ms. Flowers and the basis for the termination. The attorney submitted to the Board a copy of the medical record, the record of missed appointments, and the termination letter with proof of mailing.

### **Outcome:**

The Board found that Dr. Spring had properly terminated treatment and closed his case without discipline.

### **Take Away:**

Know what your state requires regarding terminating treatment. Most licensing board websites have information on this in policy statements, guidelines, or FAQs. Seek guidance on proper termination from your professional liability carrier's Risk Managers. Properly terminate treatment relationships with documentation to show the steps taken.

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**X Accounts of Interest** Main account: [@APAPsychiatric](https://twitter.com/APAPsychiatric)

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- MPA Main Account: [Mississippi Psychiatric Association](#)

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## What's New at the APA

- **Dr. Theresa Miskimen Rivera, M.D.** was chosen as the next President-Elect of the American Psychiatric Association after the most recent APA election cycle. Dr. Miskimen is currently chair and medical director of the Department of Psychiatry at Hunterdon Medical Center in Flemington, New Jersey, and previously served as Speaker of the APA Assembly. You can [read more about Dr. Miskimen Rivera and see the rest of the election results here](#).
- **One in five** pet owners has an emotional support animal, according to the results of a Healthy Minds Monthly poll released jointly by APA and the American Veterinary Medical Association. 84% of those polled say pets have a positive impact on their mental health. A majority of those surveyed (62%) also indicated that their pets help them reduce stress and anxiety. You can read the full poll results [and read more about pets and mental health here](#). We also encourage you to use our #Paws4MentalHealth [social toolkit](#) to help promote the effort.
- As elections, wars, and other controversial events and issues swirl in the news feeds and on social media, members of APA's Council on Communications wrote a blog titled [How to Discuss Controversial Issues with Your Mental Health in Mind](#) on having tricky conversations.

## Register Today for the APA Annual Meeting in New York City

Join your colleagues at APA's 2024 Annual Meeting from **Saturday, May 4, through Wednesday, May 8**, and hear from the field's leading experts. Plenary sessions will feature Anderson Cooper, Bryan Stevenson, J.D., M.P.P., and a Broadway extravaganza. Choose your meeting experience—in person or virtual!

[LEARN MORE AND REGISTER](#)

## APA Foundation Launches New Initiative for Mental Health of Black Men

The suicide rates among young African American/Black males have risen faster over the past two decades than among any other racial group. The APA Foundation's My Brother's Keeper Project will specifically reach out to this demographic to provide psychologically safe spaces for healing and normalize seeking mental health care when it is needed.

[READ MORE](#)



### **Calling All Medical Students and Education Directors**

The APA Foundation invites applications for its Helping Hands Grants Program. The program provides grants of up to \$5,000 to medical schools for mental health/substance use disorder projects, particularly in underserved minority communities. The projects are developed and managed by medical students with community agencies or in conjunction with medical school outreach activities. The deadline is **Friday, May 31**. Psychiatry education directors are asked to share this information with their medical students.

[LEARN MORE](#)

### **Reserve Your Spot at the APA Foundation Benefit**

The APA Foundation will hold its annual benefit on **Monday evening, May 6**, at the Cipriani 25 Broadway, an Italian neo-renaissance masterpiece. Enjoy a night of dinner, dancing, and fun as we celebrate the APA Foundation's progress toward creating a mentally healthy nation for all.

[PURCHASE TICKETS](#)

### **Contact Your Representative to Prevent Cuts to Physician Reimbursement**

The Centers for Medicare & Medicaid Services (CMS) approved a 3.4% reduction in Medicare's physician payments for 2024. This cut is devastating to physician practices and the patients they care for, and could necessitate reduced staffing and office closures, disproportionately harming rural and underserved communities. **Please urge Congress to prevent these devastating cuts from going into effect by cosponsoring the Preserving Seniors' Access to Physicians Act of 2023 (H.R.6683)**. This bipartisan bill would completely eliminate the 3.4% physician pay cut expected to take effect on January 1. Learn more and [compose a message to your representative in Congress here](#).

### **Be a Part of APA's Speakers Bureau**

APA is seeking members who are active and engaged in Component activities to be a part of APA's Speaker's Bureau. The Speaker's Bureau is aimed at diversifying and broadening APA's bench of public-facing experts. In addition to traditional media requests, APA has a number of other opportunities available for members who are willing to share their expertise. This includes writing blogs on important mental health topics, providing government testimony, and participation in social media events, like Twitter/X chats, Instagram live, and more.

Members of the APA Speaker's Bureau, as an internal influencer group, will also be asked to amplify APA's voice by promoting public education initiatives via social media and engaging during APA social media events.



Simply scan this QR code to access the speaker's bureau form and add your voice.

**Note:** Any personal information shared is kept **strictly confidential** and only able to be accessed by APA Communications staff. We ask for this information so that we can get a

decent picture of who our experts are and make the best match for a given opportunity. Participation in this project does not guarantee that a member will be contacted for a media interview or other public-facing opportunity.