

E-Update March 22, 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.

This Week at the Mississippi Legislature



When Dr. Hannah Richard and Dr. Zac Robinson, (MSH Psych Residents) pictured left with Senate Pro Temp Dean Kirby, signed up to be Doctor of the Day at the MS Capitol on Wednesday, they had no idea what the day would bring. Several groups had planned press conferences throughout the week to focus attention on Medicaid expansion. But Wednesday's press conference hosted by religious leaders around the state turned into a

secondary health care event. MPA is featuring these two health care heroes this week.

"We could hear a loud man's voice throughout the hallways, which we later discovered was a press conference on the stairs of the Capitol led by pastors across the state of Mississippi. The nurse left the clinic stating she wanted to see what the commotion was about. Moments later, the nurse ran back in to grab Dr. Robinson and me stating "man down on the second floor." I

grabbed the AED beside me, and we ran up the stairs as the nurse grabbed the vitals machine and came up behind us on the elevator. When I got to the second floor, there were a bunch of men actively taking the collapsed man to a nearby cushioned bench and they laid him out. The man was completely unresponsive and not breathing. I confirmed with a bystander that 911 had been called. There was another bystander that happened to be a nurse who was very helpful in the situation. She immediately jumped to action and started performing chest compressions. The first round of compressions gave me enough time to open the AED and get the pads on his chest that the others had helped expose. The AED did not recommend shock and chest compressions were resumed by the nurse per the order of the AED. During the second round, the man let out a big breath and his eyes started tracking movement. About this time, the vitals machine had arrived to us, and we were able to confirm stable HR and blood pressure. O2 was unable to be measured as the machine was malfunctioning. The man became more alert and started verbalizing in one-to-two-word phrases. I stayed beside him, listening to what he had to say until help arrived. The entire time we were surrounded by a prayer circle led by the other local pastors there for the press conference. The paramedics got him strapped the board and carried him down the Capitol steps to the ambulance. On his way out, he was alert enough to wave at us and give us a thumbs up. We later learned the good news that he was recovering well with his family by his side at Baptist. It's an experience I will not soon forget." (Dr. Richard)

"Serving as the Doctor of the Day at the capitol is an honor and opportunity provided by MSMA. Usually, we help the people with allergies or minor aches, and in return get to know our representatives and advocate for our patients and profession. Occasionally, we are called upon for a true medical emergency. This week a pastor taking time to talk with representatives about Medicaid went unresponsive during a press conference. The nurse grabbed me and Dr. Richard, and we were able to resuscitate the patient after two rounds of CPR. It was a day that demonstrated the value of having rapid access to medical professionals. Luckily the pastor was able to recover and should be back to preaching in no time. I look forward to future opportunities to serve as Doctor of the Day though hope for much less excitement." (Dr. Robinson) Below is press coverage by Taylor Vance of Mississippi Today. The cover photo shows Dr. Richard and Dr. Robinson. **MPA is extremely proud of our talented members who helped save a life at the Capitol!** <https://mississippitoday.org/2024/03/20/medicaid-expansion-faith-leaders-pastor-collapses/>



[Pastor urging lawmakers to expand Medicaid rushed to hospital after collapsing at Capitol](#)

A minister collapsed at the Capitol while standing with clergy pleading with lawmakers to expand Medicaid for the state's poorest residents. mississippitoday.org

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

Thursday's Press Conference Photos from the Capitol



The family of medicine needs statewide support for HB 1725 to give access to healthcare to working low-income Mississippians! Call your local Senator today!

Encourage your Senator to protect the well-being of their communities, especially those constituents who are currently unable to access healthcare because they lack insurance. Expanding access to care for working Mississippians will not only foster better health outcomes but also create opportunities for a healthier workforce - a win-win for Mississippi. Estimates show that more than 200,000 Mississippians could be affected by expanding access to care, not to mention the downstream affects to hospitals, clinics, and other members of the healthcare team.

A Senate strike-all amendment to HB 1725 is expected to be considered in the Senate Medicaid Committee on Monday, March 25th and a full floor vote on Tuesday, March 26th. Please contact your Senator and ask them to vote YES to the HB 1725 Senate strike-all amendment if you believe access to healthcare for working Mississippians is a priority.

Click the link below to log in and send your message:

https://www.votervoice.net/BroadcastLinks/6KDr_V4P74l0e0tQXdsn3w

APA Advocacy Town Hall This Wednesday at 11am Central

APA works every day with policymakers on Capitol Hill, in the Administration, and at the state level to shape legislation and regulations to advance psychiatry and promote the highest quality of care for our patients and their families. As an APA member, you play a critical role in furthering our advocacy priorities and policy agenda. Come join APA President, Dr. Petros Levounis, and the Division of Advocacy next **Wednesday, March 27 at noon ET**, in an interactive setting to learn more about our advocacy agenda, the current state of play, ask your questions, and begin your journey as an advocate. [Click here](#) to register.

APA Submits Response to SAMHSA Maternal Mental Health RFI

On February 8, [APA sent a letter to SAMHSA's Task Force on Maternal Mental Health](#) concerning the prevention and treatment of maternal mental health conditions and substance-use disorders. [Click here to read more.](#)

APA Joins White House Conversation Against Use of Conversion Therapy

On February 7, APA joined the United States Joint Statement (USJS) in a conversation with the White House Domestic Policy Council on policies against the use of conversion therapy. [Click here to read more.](#)

HHS Issues Final Rule on 42 CFR Part 2

On February 16, the U.S. Department of Health and Human Services (HHS), through the Office of Civil Rights (OCR) in coordination with the Substance Abuse and Mental Health Administration (SAMHSA), issued a final rule to revise the [Confidentiality of Substance Use Disorder Patient Records](#) regulations (42 CFR Part 2). [Click here to read more.](#)

APA Provides Telehealth Recommendations for CMS

APA submitted a [letter](#) to CMS on February 27, 2024 APA's recommendations related to telehealth policies for consideration as CMS begins to prepare the July proposed rule on the Medicare Physician Fee Schedule. [Click here to read more.](#)

APA Provides Feedback to CMS on MIPS Value Payment Program

APA, AMA, and several other medical-specialty societies met with CMS on February 26, 2024, to provide feedback to CMS regarding the MIPS Value Payment Program (MVP). [Click here to read more.](#)

APA Fiscal Year 2024 Priorities

On February 9, APA sent our [FY 2024 priorities](#) to House and Senate Leadership to provide policy recommendations for inclusion in a forthcoming health package. [Click here to read more.](#)

CAMH Children's Priorities for Fiscal Year 2024

On February 8, APA joined the Child and Adolescent Mental Health (CAMH) Coalition [in a letter](#) to House and Senate Leadership expressing the coalition's support for children's programs in Fiscal Year 2024. [Click here to read more.](#)

Friends of AHRQ Fiscal Year 2025 Priorities

On February 19, APA joined the Friends of AHRQ coalition [in a letter](#) to the House and Senate Chairs and Ranking Members of the Labor, Health and Human Services, Education, and Related Agencies Appropriations Subcommittee. [Click here to read more.](#)

APA Supports Lorna Breen Healthcare Provider Protection Act

On February 15, APA joined other healthcare organizations in a [letter of support](#) for [H.R. 7153/S.3679](#), the Dr. Lorna Breen Health Care Provider Protection Act. [Click here to read more.](#)

APA Supports the Healthcare Workforce Resilience Act

On February 27, APA joined a letter of support for [H.R. 6205](#), the Healthcare Workforce Resilience Act, which would help recapture up to 40,000 unused employment-based visas so foreign-born physicians and nurses can continue working and providing care in the United States. [Click here to read more.](#)

Florida Psychiatric Society Defeats Several Unsafe Prescribing Bills

The Florida Psychiatric Society (FPS) is celebrating several wins after a very successful lobbying effort during the 2024 state legislative session. [Click here to read more.](#)

APA Collaborative Care Model Campaign Continues to Expand

APA is collaborating with several district branches and state associations in pursuing legislation requiring commercial insurers and/or Medicaid to reimburse for the Collaborative Care Model codes and/ or appropriate funding for grants. [Click here to read more.](#)

APA Pursuing Prior Authorization Reform

Several DBs are initiating [APA state prior authorization reform legislation](#) or supporting bills containing its key provisions this session. The model language would prohibit prior authorization in certain circumstances, including for generic prescription drugs, on any drugs that have been

prescribed without interruption for six months, and on any long-acting injectable medication. [Click here to read more.](#)

Utah Enacts Psychologist Prescribing Legislation

The Utah Legislature passed a large behavioral health care bill into law which includes establishing prescriptive authority for psychologists. The Utah Psychiatric Association (UPA), in collaboration with the American Psychiatric Association and Utah Medical Association, lobbied in opposition to psychologist prescribing. In consideration of the Governor's strong support for the proposal and the political climate, UPA negotiated stronger patient protection. [Click here to read more.](#)

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

- Poster Competition

Winners: 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

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

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-K6rFUQjg1T05EWkNMS1hUVIJXTVlyQzBQTEsyQS4u> <<

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.

THREE THINGS TO KNOW ABOUT: EHRs – LIABILITY FOR ACTS OF OTHERS

Written by

Professional Risk Management Services® (PRMS®)

1. Before aligning yourself professionally with anyone, you should perform a thorough vetting of each individual whether they are an employee, someone with whom you supervise/collaborate, or merely share office space. As appropriate, verify that person's education, licensing status and board complaints, certification, CE hours, employment history, malpractice history, a credit check, and a criminal background check. And of course remember to never employ or a current or former patient.

2. One of the acts by office staff for which a psychiatrist may be found liable is the failure to timely release a patient's medical record upon receipt of a valid request. Most states, as well as federal HIPAA law require that records be released within a specific time frame which may be as short as 10 days. In the converse, psychiatrists may be liable for an employee's inappropriate disclosure of information which may include the inappropriate release of records or verbal disclosure of patient/treatment information and inappropriate access to PMP data by a physician's delegate is another act for which a psychiatrist may be found liable.
3. When sharing office space, avoid the appearance of any control of or supervision of your office mates. Eliminate as many objective indicators of association as possible. This might include shared outdoor signs, letterhead, office telephone numbers, billing personnel, etc. Courts consider the *perception* of patients in determining whether a treatment relationship has been created and/or exists. Your very presence in a shared office may be the only factor that leads a person to believe that you associate with, employ, control or supervise your office mate(s); however, you risk being held liable if a court finds the patient's perception to have been reasonable.

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

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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.

March Course of the Month – Everything You Wanted To Know About Digital Health Technology but Were Afraid to Ask

Digital health technologies (DHT) have the potential to radically alter the landscape of medical treatment. The use of DHT has increased access to treatment and has the potential to improve outcomes and help decrease stigma. Unfortunately, the demand for DHT has outpaced the research needed to prove these interventions safe and effective. This course will introduce a broad definition of DHT and provide examples of digital health interventions, including current research and evidence. Potential benefits, as well as ethical, regulatory, reimbursement, and social concerns, will be introduced, and more. [Click here to access the Course of the Month and sign up for updates about this free member benefit.](#)

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.