

Physicians Dedicated to Serving Their Patients



LS
MS

LAKE-SUMTER MEDICAL SOCIETY

MEDICAL MONITOR

Winter — Spring 2007

**T
H
E
P
O
W
E
R
O
F**

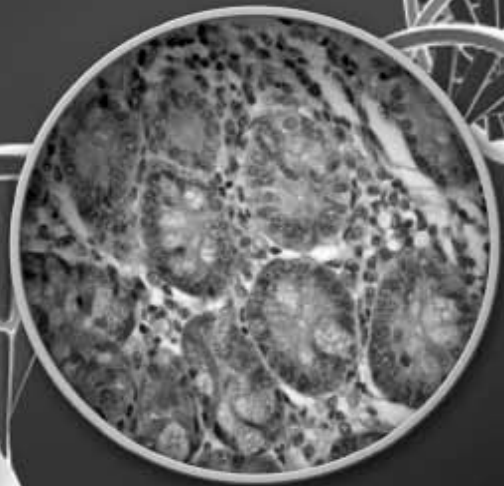


**A
S
S
O
C
I
A
T
I
O
N**

A Body Stronger than the Sum of its Parts



DIAGNOSTIC PATHOLOGY
ASSOCIATES



A Team of Specialists
Providing Fast, Accurate Results.

Surgical Pathology

Cytology

Bone Marrow

Flow Cytometry

Immunohisto Chemistry

In-situ Hybridization

352-787-1778 • Fax 352-787-1164

1456 William Street • Leesburg, FL 34748

www.dpalaboratories.com

PRESIDENT'S MESSAGE

Dr. Shelley Coleman Glover



Directory

Lake-Sumter Medical Society

P.O. Box 1578

Mount Dora, Florida

32756

Phone 352-483-4748

Fax 352-483-4740

Linda Nagle, Exe. Director

Inagle@lakesumter.org

We're on the web!

www.lakesumter.org

Board of Directors

Shelley Coleman Glover, M.D.

President

Mayssa Toppino, M.D.

Immediate Past President

Nicola Ally, M. D.

Jon E. Anderson, M.D.

Stacy J. Berckes, M.D.

Herman Flink, M.D.

Lawrence Green, M.D.

Samuel Goss, D.O.

Michael Levine, M.D.

John Pellosie, D.O.

Dear Fellow Physicians,

This last year has brought exciting changes, accomplishments and challenges to both the Lake Sumter Medical Society (LSMS) and organized medicine. As your president, I have been honored to represent you on the local, state and national levels.

I have been pleased that the medical society has been able to expand the services which it is able to provide to our members to include the Comprehensive Asset Protection Services Program (CAPS) and the informational meetings for your office managers on subjects which are pertinent to helping our practices run effectively and efficiently. After many requests from members, I am very excited that the LSMS is finally able to offer a program through which you, your family and your staff may attain affordable healthcare & guaranteed life insurance. Our newest program, the BCBS health & life insurance plan is starting this March.

Until December of 2006, LSMS shared our executive director, Cynthia Nash and office space with the Orange County Medical Society (OCMS). In December, after seven outstanding years of service to LSMS, Cynthia decided it was time for a change. She accepted a position as the executive director for the Florida College of Emergency Physicians. At that time the LSMS board decided that it would be in the best interest of our medical society to separate from OCMS. Our new executive director, Linda Nagle was hired and has done a great job in transitioning the LSMS office into its new location in Mount Dora. Although Cynthia Nash will be missed, I am thrilled that we have been able to find an excellent new executive director.

In September, The Florida Medical Association held its annual meeting at the Gaylord Palms Hotel. I was selected as the chairperson of the Membership & Credentials Committee for the FMA meeting and was excited to represent LSMS in this role. I was pleased that LSMS had full delegate representation at the meeting. We were able to address several issues which affect healthcare. On your behalf a resolution was submitted by LSMS for reform of the current prompt pay regulations. However, there was a prompt pay lawsuit in progress, and legislators will not discuss any issues which are currently in the courts. Secondary to this our resolution was sent to committee rather than being adopted.

Over the last year I have met with our state legislators in Tallahassee and traveled to Washington, DC to meet with our Central Florida Delegation. Our biggest hurdles continue to be a permanent repeal of the Medicare SGR and effective Malpractice Reform. However, new healthcare issues appear all of the time! From defeating a bill in 2006 which would mandate Florida physicians to have \$500,000 malpractice insurance coverage to the new drastic cuts in Medicare outpatient radiological testing, battles for healthcare are continuous. I am honored to represent you and your concerns. However, I also strongly urge you to go to our website and contact our representatives yourself.

I sincerely hope that the Lake Sumter Medical Society will continue to grow stronger as we move further into 2007. Please join me at our April membership meeting at the Mission Inn in saying farewell to our prior executive director, Cynthia Nash; welcoming our many new members to the society; and extending a warm greeting to our new executive director, Linda Nagle.

The *Medical Monitor* is a publication of the Lake-Sumter Medical Society. The *Medical Monitor*, its editor, and the Lake-Sumter Medical Society are not responsible for the opinions and/or statements of its contributors or advertisers, nor do they necessarily reflect the official policy of the Lake-Sumter Medical Society. To become an advertiser in the *Medical Monitor*, please contact Linda Nagle, editor.



By Linda Nagle, Executive Director

Beginning a new position brings many unique challenges no matter how prepared or informed one thinks one is. I've been taught that

along with every challenge comes an opportunity, an opportunity to do something good and worthwhile. As the new Executive Director of LSMS, I find myself smiling more and more. You might say, "Why would that be?" And I would say to you, "There are so many possibilities to do good things for LSMS and so many wonderfully good people to do them."

Just like the communities the Society represents, Lake-Sumter Medical Society is truly in the growing stages of an

organization. The basics have been learned, a solid foundation has been laid, and the walls and roof have been constructed. Now it is time to fill the interior with beautiful works. In your own house, the entire family participates in turning the house into a home. Lake-Sumter Medical Society must now rely on its membership to furnish our house.

I've already heard how difficult it is to get members to participate in meetings or events or to take leadership roles in the Society. Perhaps that will be the big challenge I will face in this position. Truthfully, I think getting people involved is the biggest challenge of most organizations. The overwhelming demands on time and the cynicism of the day often paralyze us. The good news is we don't have to be paralyzed. Ask yourself this basic question: "Why is my profession important to me?" With that answer in mind, find your niche of responsibility and action. Give yourself permission to not attempt to do everything. But, DO require of yourself to do something.

One thing is certain. A body is stronger than the sum of its parts. Collectively, we can set our goals high. Individually, we can act within our own abilities, talents and resources. It's also true that if one doesn't ask, one rarely gets others involved. So, be prepared. You will be asked. But in exchange, we pledge to value your time, respect your interests, and honor your contributions. We also pledge rewards for your time such as the enjoyment of building personal relationships with colleagues, a sense of fulfillment for your contributions to your profession, and a sprinkle of fun thrown in the mix.

A World-Class Hospital That Makes House Calls.

Home Health Services

20 Years of Service in Our Community

Serving residents in Lake, Sumter and South Marion Counties

Joint Commission Accredited

Locations
 Leesburg (352) 323-5570 The Villages (352) 753-9119

LRMC
 HOME HEALTH SERVICES

Nurses On Call and New-Patient Referral Service Available 24 Hours.

License HHA20654096

ADD LSMS TO YOUR TOOL KIT

JOIN OR RENEW TODAY

All MD's and D.O's in Lake and Sumter counties are encouraged to join Lake-Sumter Medical Society. Download an application at www.lakesumter.org. Submit your completed application plus Curriculum Vitae and dues payment. It's that easy to start making a difference.





The power of association is reflected in many aspects of our lives, not the least of which is the ability to provide quality affordable health insurance even in the face of double-digit cost in-

creases. Traditionally, many Lake and Sumter County medical practices faced the uncomfortable dilemma of not being able to offer good health insurance to their employees based upon their own small pool of potential participants. Acting out of concern and a desire to correct this situation, your Lake-Sumter Medical Society has worked diligently to help us put the power of association to work for you.

After months of preparation, the new group health insurance plan for members of the Lake-Sumter Medical Society and the FMA shall be effective March 1, 2007. It will be an exciting and potentially life-changing day for those employers who submitted a completed underwriting questionnaire by the Jan 18th deadline. They will be eligible to enroll in the plan either on March 1st or March 15th.

At least one other enrollment date will be offered before September 1st, contingent upon enough employers with a combined group of 100 employees seeking the coverage plus the required satisfactory results of the underwriting questionnaires submitted by those employers.

Our insurance plan is based on an insurance concept called Experience Rating, which is a quantitative measure used to determine how much a given policy should cost. It is calculated by using historical data to determine the risk of future claims.

This entire project is based on the assumption that there are enough physician/employers who want to "pool" their money and believe they can create and maintain a plan that will eventually out-perform the "marketplace". With health insurance costs rising 12-15% per year, the worthy goal of working together is a very smart investment.

We are estimating that the rates we have developed for this plan will provide the funds needed to be EXPERIENCE RATED. Regardless, the plan is fully insured by Blue Cross

By Spencer Barrett, CLU

Blue Shield of Florida, and there is no contingent liability on the member/physicians. At worst, if employers have to sacrifice some dollars the first year, at least it will be with tax-deductible dollars. In the long term, physicians should share in underwriting profits, just as their successful counterparts in Marion County's physician-governed health insurance plan have for the past 25 years.

Lastly, I think it is very important that each physician office send a note to the current officers of the Lake-Sumter County Medical Society and express their appreciation of the efforts being made on behalf of the members and their employees. This project not only has great potential to save physicians and their staff dollars in the future, it well may one day demonstrate to the public and the politicians that: "FEE-FOR-SERVICE" and "FREEDOM of CHOICE" can produce quality health care at affordable costs. Now wouldn't that be a great message to take to Tallahassee and Washington!



Thomas Buss II (top left) and Jack Mattheus (top right)

Many Thanks to the Team from Barrett, Liner & Company

The Lake-Sumter Medical Society would like to thank Spencer Barrett, Jack Mattheus and Thomas Buss II for their dedication and hard work, contacting every practice within Lake and Sumter Counties to spread the word about our new health plan available only to LSMS and FMA members. The success of our plan may pave the way for similar plans in other counties.



TALLAHASSEE

The Capitol

LAKE-SUMTER LEGISLATIVE DELEGATION

Senate District 15-Paula Dockery

PH 850-487-5040 or 866-248-6487
dockery.paula.web@flsenate.gov

Senate District 20-Carey Baker

PH 850-487-5014 or 888-567-5577
baker.carey.web@flsenate.gov

House District 21-Joe Pickens

PH 850-488-0665
joe.pickens@myfloridahouse.gov

House District 25-D. Alan Hayes

PH 850-488-0348 or 866-873-0714
alan.hays@myfloridahouse.gov

House District 41-Stephen Precourt

PH 850-488-0256 or 407-814-6138
steve.precourt@myfloridahouse.gov

House District 42-Hugh Gibson III

PH 850-488-5991 or 352-750-1671
hugh.gibson@myfloridahouse.gov

House District 44-Robert Schenck

PH 850-488-6641 or 352-688-5005
robert.schenck@myfloridahouse.gov

For complete contact information and up-to-date legislative information, see one of the websites listed.

WEBSITES



More on the Net

ama-assn.org
fmaonline.org
lakesumter.org
senate.gov
house.gov
flsenate.gov
flhouse.gov

AMA LEGISLATIVE AGENDA

1. Senate Bill S588/ House Bill HR1093: The Resident Physician Shortage Reduction Act of 2007

To increase the Medicare caps on graduate medical education positions for States with a shortage of residents (i.e. Florida). Sponsored by Sen. Nelson.

2. Fix the Medicare physician payment formula and stop future Medicare cuts

We will push Congress to correct major weaknesses in Medicare and enact stable, adequate annual Medicare physician payment updates while reducing costly and counterproductive administrative burdens and unfunded mandate

3. Expand medical coverage for the uninsured.

The AMA proposal to expand health insurance coverage has three main pillars:

- A. Tax credits or vouchers
The first pillar is to provide subsidies for those who need financial assistance obtaining health insurance, provided in the form of tax credits or vouchers.
- B. Individual choice
People could use assistance provided through



WASHINGTON

CONGRESSIONAL DELEGATION

Senator Bill Nelson

PH 202-224-5274
senator@billnelson.senate.gov

Senator Mel Martinez

PH 202-224-3041
www.martinex.senate.gov

District 3 - Corrine

Brown PH 202-225-0123
www.house.gov/corrinebrown

District 5 - Ginny

Brown-Waite
PH 202- 225-1002
www.house.gov/brown-waite

District 6 - Clifford

Stearns PH 202-225-5744
cstearns@mail.house.gov

District 8 - Ric Keller

PH 202-225-2176

tax credits or vouchers to help pay for premiums of any available insurance, whether offered through a job, some other group purchasing arrangement or the individual market.
C. Insurance market regulation
The third pillar calls for fair "rules of the game" that include protections for high-risk patients and greater individual responsibility.

PRIORITY ISSUES TO OPPOSE

SCOPE OF PRACTICE EXPANSIONS

We continue to oppose all scope of practice expansions including naturopaths, ARNPs, pharmacists, optometrists, psychologists and podiatrists. Of especially high priority this year is HB 543, which allows pharmacists to administer *all types of* immunizations, not just flu shots. These include diphtheria, hepatitis B, measles, mumps, pertussis, polio, rubella, tetanus, pneumococcal, meningococcal and many others. This is a very broad expansion of scope. Following are important talking points:

- The pharmacist work setting is not conducive to patient safety.
- Pharmacists are not trained to diagnose or treat or to discern appropriate actions from medical histories.
- Pharmacists have no training in hands-on treatment of patients.
- Patients would not be protected under the current laws and regulations which do not envision pharmacists engaging in hands-on treatment of patients.
- There is no indication Florida residents suffer from lack of access to vaccinations.



OTHER ISSUES TO OPPOSE

Protect Ability to Self Insure

Oppose legislation that will take away a physician's ability to self insure or that will make it more difficult for a physician to meet the financial responsibility requirements for licensure.

Foreign Physician Licensure

Oppose any legislation that allows a physician to practice in Florida without meeting the same requirements as all other applicants.

Physician Profile Issues

Oppose any legislation that makes the laws relating to profiles more onerous.

Hearing Interpreters

Oppose any legislation that increases the cost of hearing interpreters.

Fabre Changes

Oppose any legislation changing current law relating to the Fabre doctrine.

Physician Supervision Issues

Protect advances we have made relating to physician supervision of nurses and PAs.

PRIORITY ISSUES TO SUPPORT

MEDICAID REIMBURSEMENT

We support an increase in Medicaid physician reimbursement rates from 65% of Medicare to 100% of Medicare. Important talking points include:

- Current reimbursement often does not cover the actual overhead cost to provide care.
- The number of Medicaid patients continues as does the cost of services.
- The number of available doctors is decreasing, causing an access to quality care issue, particularly for high-risk cases

Coverage of the Uninsured

Pass a package to address the issue of the uninsured that includes but is not limited to: coverage of the uninsured; incentives for businesses to provide health insurance; increase in reimbursement rate for Medicaid to the greater of Medicare level or current Medicaid level; requirement that Medicaid patients be given a medical home; consideration of tort relief for Medicaid providers; incentives for patients who help reduce costs; an increase in residency funding.

Expert Witness

Pass legislation that requires expert witnesses to become licensed in Florida and clarifies that giving expert testimony is the practice of medicine.

PIP

Pass legislation to retain the current personal injury protection (PIP) system.

Professionals Resource Network

Obtain sovereign immunity for the two state programs (PRN and IPN) that provide impairment services to health care licensees.



Expo 2007

11-07-07

5-8 pm

BE THERE—IT'S A BLAST!



Exhibits

Fun

Prizes



Beautiful
Lake Receptions
In
Mt. Dora



The Power of Association

Expo 2006 Sets Record Attendance & Donations

SPONSORS

Thanks! You're the Best!

Expo Sponsors 2006

Advanced Bionics
Advanced Imaging Centers
AFLAC
AmSouth Bank
Angel Flight Southeast, Inc.
Barrett, Liner & Company
Boehringer Ingelheim
Citizens First Bank
Clinical PET of Leesburg
Commerce Park Investments
Diagnostic Pathology Associates
DOCs Diagnostic Outpatient Centers, Inc.
eClinicalWorks, LLC
Endo Pharmaceuticals
Ernie Morris Enterprises, Inc.
Florida Hospital Waterman
FPIC First Professionals Insurance Company
Granny Nannies

Harper Massage Therapy Clinic, Inc.
Hospice of Lake & Sumter
Housecall Home Healthcare
Lake Centre for Rehab
Lake Medical Imaging
Lakeside Open MRI of Tavares
Leesburg Regional Medical Center
The Villages Regional Hospital
Long's Home Medical Services & Equipment
M.D. News
NCG Medical
Pathology Medical Laboratories, PA
PCMES, LLC
Physio Med Inc./Compass
Principle Financial Group
Resource Providers, Inc.
Senior Home Care
South Lake Hospital
Streamline MD

Total Med
Thomas E. Langley Medical Center
Waterman Village
We Care of Lake County, Inc.

Thanks

Expo Prize Donors

5th Av. Café & Market of Mt. Dora
Sonny's Real Pit Bar-B-Q of Eustis

Applebee's of Eustis

Crisper's of Eustis

Lowe's of Mt. Dora

Ridgeback Winery of Mt. Dora

Orlando Science Center of Orlando



WHY MEDICARE

PAYMENTS ARE NOT THE SAME IN 2007



By Leslie Witkin, Founder and President of Physician's First

Since 1/1/07 I have received countless calls from physicians wondering why their 2007 Medicare payments, in many instances, are lower than 2006. After all they say, Congress averted the 5% dollar conversion factor reduction and "froze" the factor (and therefore, payments) at the 2006 rate.

Yes, Congress did freeze the conversion factor at the 2006 rate; BUT several other changes for Medicare 2007 were NOT averted by Congress.

There are several reasons that your payments may have gone down:

1. In order to maintain "budget neutrality" in the Medicare program ALL work relative values for ALL billing codes were decreased by 10.1%! The work relative value for a code represents approximately 52.5% of the code value.

2. Practice expense relative values for ALL codes have been recalculated. The changes for certain codes may be so dramatic the government will be transitioning those changes over a 4 year period starting with 2007. The practice expense relative value represents approximately 45% of the code value.

3. Starting in 2007 the technical component (TC) payment (alone or as part of a global diagnostic service) for 1,170 diagnostic imaging CPT and other HCPCS codes is capped at the lesser of the regular Physician Medicare Fee Schedule amount OR the amount that is paid for the TC using the Hospital Outpatient Prospective Payment System (HOPPS). The payment decreases for many of these codes is dramatic.

Unfortunately, Congress has still not fixed the formula that causes the dollar conversion factor to fluctuate so dramatically from year to year. In early January, 2007 the government projected the dollar conversion factor will decrease by 10% for 2008 Medicare payments!! The battle is not over but the future is looking dim for the Medicare payment system.

Leslie Witkin is a graduate of the Dartmouth-Hitchcock School of Nursing in New Hampshire and has over twenty years of successful experience in medical practice management.

If you self-insure, don't do it alone.

If you are bare or have dropped your prior acts coverage by not purchasing a tail, you should contact Dan Reale at 888.496.0059.



Medical Defense Solutions
Assisting physicians when insurance can't



- Join Organized Medicine and be an advocate for reform of the Medicare physician payment system.
- LSMS Membership Dues
 - Active.....\$275/yr
 - Military/Government...\$200/yr
 - Retired.....\$55/yr
 - FMA Dues.....\$400/yr
- Pay by check or credit card.
- Download your application at www.lakesumter.org or call the office at 352-483-4748.

541 Lake Como Circle • Orlando, FL 32803
888.496.0059 fax 407.896.0079



Waterman
 OF MOUNT DORA
Village

✦ Elegant Dining

✦ All Levels of Living

✦ Health & Wellness Programs

✦ Caring Staff

✦ Recreational Facilities

✦ Beautiful Villas & Manors

For information call (352) 383-0051 ext. 228 • www.watermanvillage.com

DIRECTIONS: Take HWY 441 to Mount Dora, turn south onto Donnelly Street, entrance on right.

*Helping Individuals Live Their Best Life
 ...in a Waterman Community!*



Assisted Living Facility Lic # AL8948

Independent Living Villas:

Available Now!

*1 Bedroom, 1 ½ Bath
 with 1 Car Garage & Porch*

Waterman Cove

Assisted Living:

*Private/Semi-Private Rooms
 3 Meals Daily/Housekeeping
 Economical Rates/Activities*

For information & to schedule a visit, call (352) 343-4989

DIRECTIONS: Take HWY 441 to Tavares, turn south on S.R. 19, go 1.6 miles, then right on Woodlea Rd., go 1 mile, entrance on left.

VOLUNTEER PHYSICIANS SHINE IN LAKE

We Care of Lake County brings together a network of physician specialists to help those without adequate health coverage or resources. Established in 1994 by the Lake-Sumter Medical Society, We Care continues to rely on volunteer physicians to meet the ever-increasing needs in Lake County. We Care works to make the experience of our physician volunteers as easy, safe, and rewarding as possible, knowing that the best heartfelt reward is a patient whose life is made better by our actions.

Indeed volunteer physicians are the hearts that pump the patients of We Care toward health. We recognize the efforts of these stars of the medical profession who so graciously care for the less fortunate among us. We believe that all our member physicians are stars and will step forward to volunteer so that the ever-growing need for patient services will be met with a constant supply of skilled volunteer physicians.



A Star Shines Brightly

Dr. Z. Nicola Ally of the Intercommunity Cancer Center proudly displays a plaque gratefully presented to her by We Care in behalf of the many patients who benefited from her generous donation of time and services amounting to more than \$124,000 in 2006.

Sincere Thanks to All

We Care Volunteer Physicians of 2006!



Rajab Abukhadra, M.D.	Keith Charles, M.D.	Gottfried Jean-Louis, M.D.	Kenneth Sampong, M.D.
Z. Nicola Ally, M.D.	John Cowin, M.D.	Raoul Maizel, M.D.	Thomas Sanders, M.D.
Pradip Baiju, M.D.	Phillip Dascher, M.D.	Peter Marzek, M.D.	Andrew Sher, M.D.
Mary Barber, M.D.	Herman Flink, M.D.	Ruth Meneses-Taylor, M.D.	Michel Snyder, M.D.
Adam Berger, M.D.	Nehme Gabriel, M.D.	Celia Nelson, M.D.	Christopher Soprenuk, M.D.
David Bjerken, M.D.	Adam Gerber, M.D.	Carl Ollivierre, M.D.	Kenneth Stark, M.D.
Jason Boardman, M.D.	Eilias Gizaw, M.D.	Felipe Ortiz, M.D.	Osama Suleiman, M.D.
Richard Bosshardt, M.D.	Shelley C. Glover, M.D.	Gregory Panzo, M.D.	Shelby Terpstra, M.D.
Joseph Bradfield, M.D.	Jose Gonzalez, M.D.	Harish Patil, M.D.	Charles Thompson, M.D.
David Brunetti, M.D.	Karl Hagen, M.D.	Wendy Perrott, M.D.	Mayssa Toppino, M.D.
David Burnsed, M.D.	James Hardy, M.D.	Steven Pillow, M.D.	Lily C. Tran, M.D.
Raul Carrillo, M.D.	Harry Hunt, M.D.	Robert Purdon, M.D.	Rambabu Tummala, M.D.
Charles Cartwright, M.D.	Hal Jacobson, M.D.	Ethiraj Ramchander, M.D.	Mark Vocci, M.D.
Matthew Casavant, M.D.	Akram Ismail, M.D.	Gerardo Rodriguez, M.D.	Scott Wehrly, M.D.

WELCOME 2007 NEW MEMBERS

Julie Saranita, D.O.	George Kainz, M.D.
Miguel A. Gonzalez, M.D.	Yi Liu, M.D.
Manoj Bhatia, M.D.	Mahrad Paymani, M.D.
Pairoj Chang, M.D.	Marc Schwartzberg, M.D.
Rosendo Diaz, M.D.	Abu Azizullah, M.D.
Richard Held, M.D.	Manual Alvarado, M.D.
Charles Houston, M.D.	Chandra Henry, M.D.
Mark Jacobson, M.D.	Hanubal Shivakumar, M.D.

Position Openings

CERTIFIED NURSE PRACTITIONER

ARNP: Well-established practice in Central Florida is looking for a Certified Nurse Practitioner to join our practice. Preferable pediatric, but pediatric experience and willingness are welcomed. We are offering Full or Part time employment. Please respond to:



Office Manager, PO Box 895520, Leesburg, FL 34789

OPHTHALMIC TECHNICIAN



Well respected ophthalmic practice in Lake County is looking for an experienced ophthalmic technician to join our team. Great opportunity for long term employment. Excellent salary and benefit package. Please email your resume to tonya@esof.org or fax to 352-357-8811.

Don't let you patients gamble
with their hearing needs,

help them make it a sure thing.

Your patients trust you with their care, for your knowledge, expertise AND advice.

Don't let them go it alone in the jungle of high pressure, high priced corporate retail facilities when it comes to their hearing and hearing aid needs. Guide them to us for comprehensive, compassionate, expert and ethical care as well as honest value.

We will provide YOU with their test results, a written report and even their personal evaluation of OUR services. You'll receive their gratitude as well, knowing once again you've done what's best for their care.

Thank you for your consideration.

CENTRAL FLORIDA
HEAR CARE +

Marc R. Trychel, Au.D., Audiologist

1108 W. Dixie Ave.
Leesburg

326-5253

1008 East Ave.
Clermont

241-0909

By Cliff Rapp, LHRM, First Professionals
Vice President Risk Management

Since medications imported from foreign countries are not subject to the Food and Drug Administration (FDA) oversight and monitoring, they may lack the quality controls that ensure drug safety. Physicians are cautioned against participating in patients' endeavors to obtain medications from foreign countries, despite claims of potential monetary savings.

- **Safety Concerns**

The FDA cannot ensure the safety of drugs purchased from foreign sources. Medications may lack quality controls in all aspects - manufacturing, packaging and labeling, handling, dispensing, and monitoring outcome. Imported medications may not even contain the same ingredients as products approved by the FDA. They may be manufactured, packaged, and stored under unsanitary conditions. Drugs may not be labeled properly, may contain harmful ingredients, may not be tamper-resistant or tamper-evident, and may contain different dosing than the FDA-approved counterpart. All of these aspects create the potential for adverse reactions to imported medications and may make it difficult for physicians to safely manage their patient's medication regime.

- **Potential Problems**

Dangerous drug interactions or side effects due to drug contamination. Inadequate treatment due to counterfeit, sub-potent or super-potent products, or inert ingredients. Lack of information may make it difficult to monitor the patient's response to medication and/or treat adverse reactions. No recourse in the event of adverse reaction - seller is beyond consumer's reach, seller may have required release of liability prior to selling - since not under FDA jurisdiction.

- **Legal Issues**

Illegal under Food, Drug, & Cosmetic Act to import unapproved, mis-branded, adulterated and foreign versions of U.S. approved medications into the US. Illegal for anyone, other than drug's manufacturer, to re-import a prescription drug originally manufactured in the United States.

- **Risk Management Guidelines**

Obtain and update patient's medication history - determine if patient is taking medications that are imported. Encourage patients to use one pharmacist as a means to help prevent drug interactions when combining medications. One pharmacist will maintain a current medication profile listing all medications prescribed from any and all prescribers - increasing detection and prevention of potential problems. Inform patients of the risks of obtaining drugs from foreign sources. Pursue financial considerations and alternatives when prescribing medications. Many pharmaceutical companies offer drug assistance programs.

- **Florida's Response**

Florida Board of Medicine: Although there is no specific law or ruling on the matter, the Florida Board of Medicine is opposed to physicians assisting patients to obtain medications from Canada or other foreign sources. The board does not believe that it is the best practice of medicine.

Florida Medical Association (FMA): The FMA Legal Department has issued the following statement regarding prescriptions written by a Florida physician to be filled in Canada: "Canadian law does not allow a Canadian pharmacist to fill a prescription written by a physician licensed only in the United States. A Canadian physician must issue the prescription (in fact, the Canadian province may require that the physician be licensed in that province.) Some Canadian physi-

cians have been signing off en masse on US issued prescriptions that are being brought into Canada to be filled, but Canadian medical authorities have started investigating the Canadian physicians who are doing this without an adequate examination of the patient. While it is not illegal for a Florida physician to write a prescription that the patient is going to have filled in Canada, Florida physicians should refrain from giving any advice on the matter to their patients."

Florida Statutes: FS 465.0197(2) requires that an Internet pharmacy must obtain a permit in order to dispense medications to persons in Florida.

Florida Board of Pharmacy: The Florida Board of Pharmacy's opinion is that any business enterprise in the State of Florida which offers services to the public by which members of the public may be induced to utilize the services of a non-registered, non-Florida resident pharmacy to fill prescriptions are unlawful and will subject the persons and entities involved to criminal and civil penalties. (Florida Administrative Code 456.0156)

Although patients may be desperate to obtain cheaper sources of medications, there are risks associated with imported medications. Physicians should be alert to the potential problems associated with using imported medications and the increased exposure to malpractice claims as a result.

Information in this article does not establish a standard of care, nor is it a substitute for legal advice. The information and suggestions contained here are generalized and may not apply to all practice situations. First Professionals recommends you obtain legal advice from a qualified attorney for a more specific application to your practice. This information should be used as a reference guide only.

First Professionals Insurance Company is Florida's Physicians Insurance Company and the endorsed carrier for professional liability insurance.



FPIC
First Professionals Insurance Company

*First Professionals is the
leading advocate for Florida's physicians*

With First Professionals Insurance Company you get

financial strength and more than 30 years of commitment

to Florida doctors

from a publicly traded company with a physician-owned style



Significant discounts available
for eligible LSMS members

Partners in Protection

We are Florida's Physicians Insurance CompanySM

For additional information contact:
Angie Nykamp, Director of Society Relations
(800) 741-3742 ext. 3071
angie.nykamp@fpic.com

First Professionals Insurance Company
1000 Riverside Avenue, Suite 800
Jacksonville, Florida 32204
(800) 741-3742 – www.firstprofessionals.com

Your Future is in Good Health



Florida Hospital Waterman



was founded in 1938 as a legacy of Frank Waterman, president of the Waterman Fountain Pen Company. In 1938, Mr. Waterman turned the elegant Fountain Inn in downtown Eustis over to a group of local doctors for use as a hospital, and the new Lake County Medical Center was to become the major cornerstone of health care in Lake County.

For over 65 years, Florida Hospital Waterman has continued its commitment to the health care needs of our community, and has progressed from an 18-bed county hospital to a 204-bed acute care facility. In 1992 Florida Hospital Waterman merged with the Adventist Healthcare System and became part of a worldwide network that has given Lake County residents access to state-of-the-art technology and programs within the Florida Hospital System.



FLORIDA HOSPITAL
Waterman