

New York Dermatologist

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From the President

Much has happened recently to impact upon many physicians and their practices this Fall. Many of our practices and homes were devastated by Hurricane Sandy. The Newsletter was delayed as it was going to print the week Sandy hit. Many of you, like me are experiencing the trials of dealing with insurers, governmental assistance programs and the seemingly never-ending difficulties of putting our homes and practices back together. We seek normalcy and calm amid this holiday season. To each of you affected, please know that we empathize and offer any help we can provide. Please call our Executive Director, Liz Dears, who has contacts within state government who can possibly mediate on your behalf. And a grant program has just been established by the Medical Society of the State of New York (see article below) which may prove to be of some assistance to you.

I am excited by the coming new year and also by the transition our Association is engaged in. Our transition has involved a review of our priorities and I am excited by decisions made by your Board of Directors to re-focus the work of the NYSSDDDS on advocacy. Improving our dermatologic practice through legislative change will be invigorating to the Society and its membership. During the next few months, necessary steps will be taken to assure that we will have a

lobbyist devoted to bringing our legislative concerns to our elected officials in Albany. Our primary focus in 2013 will be on enactment of a Truth in Advertising bill which will protect the public's health by assuring that all health professionals state their credentials



Mary Ruth Buchness, MD
Society President

in their advertisements. It is not too early to begin to plan for the Legislative Session, structure our messaging and educate our membership on how to be effective advocates. Your Board is working to shape our legislative strategy for 2013.

We will be contacting you regularly to inform you of the work we are conducting and to activate you to participate in grassroots advocacy campaigns. We are redeveloping our website to include tools to assist you in becoming successful advocates. A grassroots advocacy page on the website will enable you to communicate directly and in a timely manner with your elected representatives on matters

of interest to dermatology. Also, there will be a page for member feedback to enable you to express your ideas and to relay information you have learned in your meetings or conversations with your representatives that may help us secure our legislative goals. We can definitely benefit from your ideas and participation. We are applying for grants to help us to defray some of the costs associated with our advocacy strategies.

Please contact me if you have any suggestions as to grant funding opportunities which might exist to support our efforts. As always, please remind your friends and colleagues who have not joined the NYSSDDDS in the past or who haven't yet renewed their membership with us, that as an organization grows, it becomes more politically powerful. We need their membership to increase our political strength. Urge them to renew their commitment to their profession by joining or renewing their membership in the NYSSDDDS. I look forward to working with you to enhance our profession and the lives of the patients we serve.

Mimi Buchness, MD
President

Report From Albany

Teen Tanning Ban Signed Into Law

Legislation (**A.1074, Weisenberg/S. 2917, Fuschillo**) which would build upon existing regulations in the use of tanning beds by prohibiting their use by children under the age of seventeen was signed into law and became effective on August 15, 2012. Previously, indoor tanning was permitted for children 14 and older with parental consent. Under the new law, parental consent is required for seventeen year olds. Many members of the NYSSDDS working with other medical societies and patient advocacy organizations, including the American Cancer Society, devoted much energy to make this bill a law. Thank you to all who helped!

Legislation to Require Written Parental Consent For Body Piercing on Teens Signed Into Law

Legislation was signed into law which prohibits the owner, operator, or employee of a body piercing studio from performing body piercing on a person under eighteen years of age without the written consent of a parent or guardian, signed in the presence of the owner of the body piercing studio or a body piercing specialist employed there. This new requirement becomes effective on October 28, 2012.

Truth In Advertising Bill Introduced In Both Houses of Legislature

The Truth in Advertising Bill (**A.8410, Morelle/S.7455, DeFrancisco**) now has a Senate Sponsor. It is Senator John DeFrancisco (R, Onondaga County), chairman of the powerful Senate Finance Committee. Shortly after its introduction, the bill was reported by the Senate Finance Committee to the Rules Committee where it stalled. It did not move in the Assembly. The bill was written with assistance from all affected specialty societies. The NYSSDDS will hold a special Lobby Day on the bill early in 2013. Announcements will be posted on www.nysderm.org.

Bill Authorizing Pharmacists to Administer Herpes Zoster Vaccine to Adults Signed Into Law

Legislation (**S. 3808B, Fuschillo/ A. 6301B, Paulin**) that would allow pharmacists to provide the herpes zoster vaccines to adults was signed into law. The measure authorizes physicians to issue a patient specific script to pharmacists to allow them to provide the immunization. The bill also allows a nurse practitioner to prescribe and order a specific regimen to a licensed pharmacist, pursuant to regulations developed by the Commissioner of Health, for administering immunizations to prevent acute herpes zoster. This law will become effective on October 16, 2012.

Several Scope of Practice Measures Defeated

Two scope of practice measures were defeated this year including:

A.2820-A (Morelle) / S.3059-A (Libous), a bill that would have expanded the scope of practice of oral and maxillofacial dental surgeons to allow them to perform any procedure within the maxillofacial area, including cosmetic surgery; and

A.5308A, (Gottfried) /S.3289A, (Young) which would have permitted certain nurse practitioners to practice independently of a physician or directly with a hospital.

I-STOP Becomes Law

The I-STOP bill, S.7636, Lanza/A.10623, Cusick was signed into law on August 27, 2012. This law requires the creation of a "real time" prescription tracking system to provide enhanced information to prescribers and pharmacists concerning prescriptions obtained by patients for controlled substances.

The existing prescription monitoring registry will be enhanced to include information about dispensed controlled substances reported by pharmacies on a "real time" basis (to be defined in regulation) unlike current law where pharmacies must report on the 15th of the month following the month in which the prescription was dispensed. The law specifically prohibits funding of the operation of the database by fees imposed on prescribers.

Beginning August 27, 2013, prescribers will have a duty to consult the database prior to prescribing Schedule II, III and IV controlled substances. Additionally, pharmacists will have access to the registry (which they do not currently).

Importantly, prescribers may delegate the responsibility to consult the database to a member of their office staff recognizing that prescriber remains ultimately responsible for confidentiality of information.

I-STOP mandates that electronic submission of all prescription by December 31, 2014. The Commissioner of Health is required to adopt regulations by the end of 2012 setting forth standards for e-prescriptions, with requirement on prescrib-

ers two years after the regulations are promulgated. The bill requires that the prescription drug registry be compatible with the electronic transmission of prescriptions for controlled substances. It specifically states that to the extent practicable, implementation of the electronic transmission of prescription for controlled substances shall serve to streamline consultation of the registry by practitioner.

Beginning February 23, 2013, Hydrocodone will be treated as a Schedule II controlled substance and Tramadol will be added to Schedule IV list of controlled substances.

The composition and scope of authority of the DOH Work Group on Prescription Pain Medication Awareness created earlier this year is expanded by I-STOP to include making recommendations on:

- Continuing education for prescribers and pharmacists on pain management issues;
- Protecting patient access to controlled substances;
- Implementation of the I-Stop provisions;
- The inclusion of additional controlled substances to the list for which a duty to consult will apply; and
- Consider other issues deemed relevant by the commissioner, including how to protect and promote the access of patients with a legitimate need for controlled substances, particularly medications needed for pain management by oncology patients, and whether and how to encourage or require the use or substitution of opioid drugs that employ tamper-resistance technology.

The Work Group is authorized under the new law to include the addition of other healthcare practitioners and providers including oncologists, addiction medicine practitioners and practitioners with experience in pain management.

Interfacing With MSSNY and MSSNY's House of Delegates (HOD); Dermatologists Urged to Bring Forth Ideas For Resolutions for Consideration at MSSNY's 2013 HOD.

NYSSDDS President, Mary Ruth Buchness, MD, represented the NYSSDDS at MSSNY's House of Delegates earlier this year. "It was wonderful to witness the House of Medicine ardently discussing resolutions to constrict the burdens imposed on physicians by the managed care industry and protect the practice of medicine", said Dr. Buchness.

The NYSSDDS and individual physicians may bring forward resolutions for consideration by MSSNY's House of Delegates. Dermatologists are encouraged to submit your suggestions for resolutions to the NYSSDDS Board of Directors by December 15, 2012. Please submit them by email to Liz Dears, NYSSDDS Executive Director at lizdk@nycap.rr.com.

NYSSDDS President Buchness, MD, at the request of MSSNY's President, Robert Hughes, MD, presented to MSSNY's Council at its May meeting to describe how the NYSSDDS is working together with MSSNY to secure much needed legislative change. Dr. Buchness agreed with Dr. Hughes that Specialty Societies working together with MSSNY are an especially strong force and pledged to do so in the future.

Lombardo Elected President of the New York County Medical Society

Peter C. Lombardo, MD, a board certified specialist in dermatology and a former president of NYSSDDS, who practices in Manhattan at Sutton Place Dermatology, was elected the 174th president of the New York County Medical Society at the Society's Annual Meeting on June 11, 2012. In his inaugural remarks, Doctor Lombardo pledged that the Society would continue to work to help its members attain the highest standards of medical practice and care and champion the integrity of the doctor patient relationship.

Doctor Lombardo received his medical degree from the Albany Medical College in 1959. He did his post graduate training at the Bassett Hospital in Cooperstown, NY, the Presbyterian Hospital of Columbia Presbyterian Medical Center, and the St. Luke's Hospital Center, both in Manhattan. During his training years, he served in the Medical Corps of the United States Naval Reserve.

NYSSDDS Welcomes Our New Members:

Amy Batterman, MD
Selig Eisenberg, MD
Caroline Halverstam, MD
Pinkas Lebovits, MD
Dimitria Papadopoulos, MD
Bruce Robinson, MD
Sejal Shah, MD
Hui C. Tsou, MD
Lawrence M. Wells, MD
Jonathan Zizmor, MD

Libby Buscemi, MD
Pamela Foresman, MD
Elizabeth Knobler, MD
Ahou Meydani, MD
Juanita Punwaney, MD
Shannon Routhouska, MD
Rhona Susser, MD
Stephen Verral, MD
Steven Wolinsky, MD

Anna Chapas, MD
Adam Geyer, MD
Jeffrey LaDuca, MD
Grace H. Pak, MD
Joseph Newmark, MD
Yulianna Russak, MD
Gina Taylor, MD
Jessica Weiser, MD
Javier Zelaya, MD

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Please email us at nyskindocs@nycap.rr.com your current email address so that we may provide you with timely reports and updates.

**Sandy Relief Grant Fund Established by the
Medical Society of the State of New York**

A relief grant fund has been established by the Medical Society of the State of New York and its Medical Education and Scientific Foundation for physicians impacted by Hurricane Sandy. The Fund will help reestablish the delivery of health care services by MSSNY physicians engaged in the private practice of medicine in the Affected Areas. Affected Area is defined to include Suffolk, Nassau, Kings, Queens, Bronx, Richmond, New York, Orange, Putnam, Rockland, Ulster and Westchester Counties. Eligible beneficiaries shall include MSSNY member physicians engaged in the private practice of medicine in the Affected Areas who were members of the Medical Society of the State of New York (MSSNY) on October 29, 2012, and who suffered uninsured losses due to Hurricane Sandy. Permitted uses of funds include, but are not limited to, the following, to the extent such expenses are not covered by private insurance; or State or Federal or other relief grants: (a) relocating or rehabilitating the physician's medical office; obtaining replacement equipment; re-building patient records and (b) payment of temporary operating expenses, including rent for temporary offices and other working capital requirements. The one-time emergency grants are for amounts not exceeding \$5,000 per physician in the medical practice receiving the grant, nor a total of \$10,000 at a single medical practice location receiving the grant, subject to funds availability.

Dermatologists interested in applying for a MSSNY/MESF grant should contact MARY RUSH AT 516-488-6100 EXT 351 who will make an application available to you.

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