

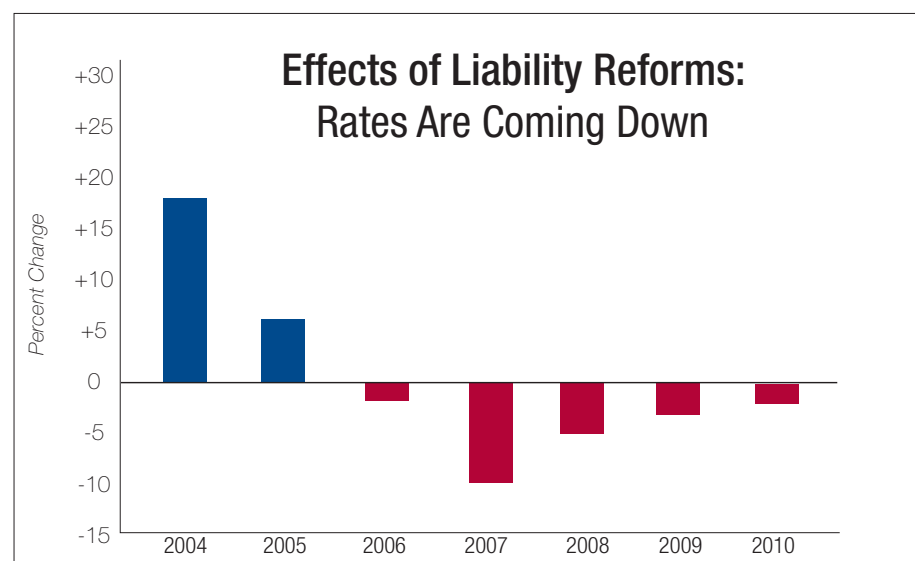
# MEDICAL LIABILITY

- Support legislation to provide qualified immunity for physicians providing emergency or disaster care (re-introduction of S.B. 86).
- Establish a Minor Statute of Repose at four years. However, if the minor is under six years of age at the time of the occurrence, there would be an additional four years after the occurrence.
- Extend qualified immunity to physicians providing care in the Medicaid program.
- Extend existing qualified immunity when providing care in free clinics to include additional services and/or surgical procedures.
- Monitor and protect the philosophical view of the Ohio Supreme Court.

## The Numbers Don't Lie - Tort Reform is Working in Ohio

- \$53,899,241** ...premium dollars saved by Ohio physicians for 2007-2009.
- 34%** ...reduction in the number of lawsuits against physicians in Ohio since 2005.
- 25%** ...reduction in premiums since 2006.
- 15** ...medical liability carriers in Ohio compared with 5 in 2003.

Source: Ohio Department of Insurance (ODI)



Ohio Medical Malpractice Insurance Rate Changes for the Top Five Insurers  
Source: Ohio Department of Insurance (ODI)

# ABOUT THE OSMA

The Ohio State Medical Association is a statewide association representing 20,000 Ohio physicians, residents, medical students and practice managers. It is dedicated to improving the practice of medicine for physicians, their staff and patients, by advocating their position, saving them time and money and promoting the medical profession.

In addition to advocacy, OSMA membership provides numerous benefits, including:

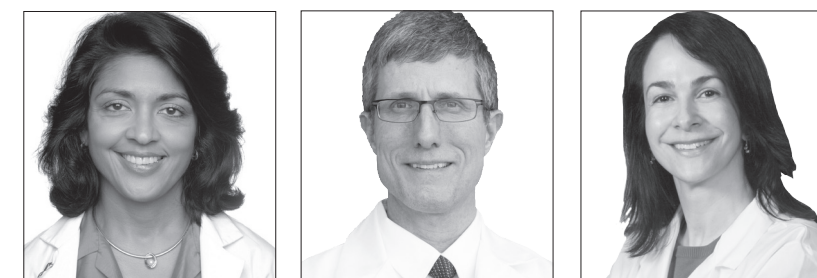
- **Education:** The OSMA offers high-quality continuing professional development in convenient formats and on a variety of topics that benefit every professional in the medical practice. We present many classes at multiple locations around the state and keep our registration fees lower than most places to make it convenient and affordable for our members. We offer Webinars, audio conferences, recorded education and live meetings to meet the needs of our members.
- **Revenue Enhancement:** By partnering with several industry leaders, the OSMA provides members high-quality services with added exclusive benefits. These products and services can save your practice money, help increase your revenue and reduce risk. Many of them have created special pricing, services and terms and conditions for our members.
- **Reimbursement and Payer Assistance:** If you are having trouble getting an adequate response from a payer, OSMA payer assistance can help. The OSMA surveys Ohio practices and collects information on issues with payers and then meets with the payers to develop a solution to the problem. Additionally, OSMA practice consulting services provide candid and accurate physician-based practice management services that benefit our Ohio physicians.
- **Information:** You can turn to the OSMA for all the information you need to help your practice run smoothly. Members receive weekly e-newsletters, bi-monthly magazines and toolkits on important information. You also have access to the OSMA website and OSMA Resource Center, which connect you to OSMA briefs on legal issues and real-time news and information.

For more information about OSMA's legislative advocacy efforts, visit [www.osma.org/advocacy](http://www.osma.org/advocacy).



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# OSMA ADVOCACY AGENDA



The OSMA's dedicated legislative staff is actively engaged in lobbying on more than 100 bills that impact the practice of medicine. Every year, our legislative team pursues a proactive advocacy agenda that is developed through input from physician leaders, membership surveys, grassroots legislative events and one-on-one discussions with physicians. As the largest, oldest and most effective statewide advocacy organization representing physicians, your voice is heard.



# HEALTH SYSTEM REFORM

With the issues of health care front and center at the state and federal level, the OSMA is advocating that all Americans have health insurance and access to high quality, affordable health care, regardless of employment or health status. The OSMA supports the following principles:

- Preserve and enhance the physician-patient relationship.
- Improve and increase access to health care for millions of Americans.
- Eliminate coverage denials for pre-existing conditions.
- Prohibit insurance companies from dropping or not renewing patient coverage when the patient becomes seriously ill.
- Focus on wellness and prevention.
- Enact and/or improve upon medical liability reforms to reduce the need for defensive medicine.
- Reduce insurance company bureaucracy and paperwork to spend more time with patients.
- Give patients the freedom to choose the health care plan that best suits his/her needs.
- Ensure physicians are able to provide high quality care without interference from the government and insurance companies.



# INSURER/HMO ACCOUNTABILITY

## Limit take backs to six months

- Insurers can perform audits going back two full years and ultimately “take back” identified overpayments. With the advent of electronic claims processing, the OSMA believes this timeframe should be shortened to six months.

## Improve insurer prior authorization requirements

- All insurers should disclose services that are subject to prior authorization on their websites.
- Prior authorization should no longer be required for a particular service when prior authorization requests for a service are routinely approved (75 percent of the time).
- Prohibit insurers from retroactively denying payment for a claim where prior authorization has been granted and the medical service has been provided.

## Standardize physician profiling

- Seek the establishment of uniform standards for insurer physician performance measurement and prohibit rating programs based solely on cost criteria. (H.B. 122/S.B. 98).

# PARTNERING WITH HOSPITALS

- Protect state and federal funding for medical education and residency programs in Ohio.
- Advocate for appropriate Medicaid reimbursements for physicians and hospitals.
- Work with the Ohio Hospital Association (OHA) to ensure a fair and equitable funding mechanism for the Ohio Medicaid program.
- Support legislation to enable state pilot projects for Accountable Care Organizations (ACO).
- Support implementation of the Patient Centered Medical Home (PCMH) pilot projects.
- Advocate for provider-led care coordination and integrated health care delivery opportunities in the Medicaid program.
- Protect the physician-patient relationship when the physician’s employment relationship changes.
- Support legislation to prohibit Most Favored Nation (MFN) clauses in contracts between hospitals and insurers.



# SCOPE OF PRACTICE

## Oppose harmful scope of practice expansions

- Oppose unwarranted scope of practice expansions by allied professions, including those by APNs, PAs, pharmacists, CRNAs, podiatrists, psychologists, optometrists and others.

**“I can pretty much do everything a physician can do, and I see more patients.”** J. Thomas, Nurse Practitioner, quoted in *The Columbus Dispatch*

## Require truth in advertising

- Patients must have a transparent relationship with their health care providers regarding the provider’s education and qualifications to deliver medical care. In addition, all advertisements should be free from deceptive and misleading information.
- The OSMA will seek legislation that requires allied health care providers to state or wear a name tag with their level of training, education and licensing during face to face encounters with patients, as well as include this information in all advertising, marketing and communications.



# PUBLIC HEALTH

Chronic disease is responsible in large part for soaring health care costs with **75 cents of every dollar spent on health care going toward treating chronic diseases**. In Ohio, such ailments cost nearly \$57 billion a year in health care and lost productivity.

## Smoking cessation efforts

- Protect Ohio’s indoor smoking ban.
- Seek funding for smoking cessation efforts.

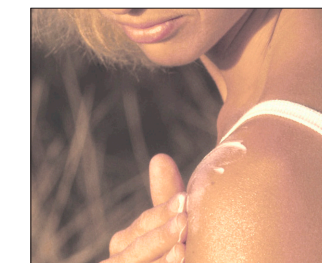


## Combating the prescription drug abuse epidemic

- Support legislation to strengthen Ohio’s licensing and regulatory laws to prosecute rogue physicians operating pill mills.
- Introduce legislation to enhance the effectiveness and efficiency of the OARRS program.

## Obesity

- Continue to support efforts to make nutritional information more transparent.
- Support efforts for employers to offer prevention and wellness incentives for employees.



## Skin cancer prevention

- Introduce legislation to protect Ohio’s children from excessive exposure to hazardous ultraviolet tanning bed radiation.

# POLITICAL FACT:

Trial lawyers are working to overturn the OSMA’s successful medical liability reforms and they’re doing it by supporting politicians that agree with their agenda.

**Are you going to let them win?**

Support the OSMA’s political action efforts and help stop the trial lawyers!

Visit [www.OSMAPAC.org](http://www.OSMAPAC.org) today!

