

## **2012 ASA Legislative Conference Synopsis**

The 2012 ASA Legislative Conference was held in Washington, D.C. from April 30 through May 2. Representing the Washington State Society of Anesthesiologists were Drs. Daniela Alexianu, James Burkman, Peter Dunbar, Mark Flanery, Robert Hsiung, Sean Kincaid, Vita Pliskow, John Van Meighem, and James Stangl. This year's meeting was well-attended, and had a record-breaking number of resident physicians participating, including our own Dr. Van Meighem from Virginia Mason.

The ASA Legislative Conference is our specialty's largest meeting focusing on state and federal legislative, regulatory and political issues affecting ASA and anesthesiology. The purpose of the conference is to prepare ASA members to engage effectively in the legislative, regulatory and political processes on behalf of the specialty.

Given the looming national elections and the Supreme Court's pending decision on the constitutionality of the Affordable Care Act, the featured speakers focused on various aspects of health care reform and possible future directions for it. Participants heard excellent, thought-provoking, and challenging talks on different aspects of health care reform from speakers across the political spectrum, including former HHS deputy secretary Dr. Tevi Troy (Dr. Pliskow's son-in-law!), Ilya Shapiro of the Cato Institute, and Dr. Donald Berwick, former CMS administrator.

In keeping with the Legislative Conference's goal to prepare ASA members to effectively advocate for our patients and specialty, we enjoyed an excellent federal affairs briefing by ASA Executive VP and General Counsel Ron Szabat, including a mock visit to a legislator's office by several experienced ASA physician representatives, including our own Dr. Peter Dunbar! Several ASA members who have gone on to serve as legislators at the state and federal level gave a very practical talk on demystifying political involvement for MDs.

On Monday and Wednesday, your WSSA delegation visited Capitol Hill, where they met with staffers for our state's senators and representatives. Key issues that were advocated for included:

- *Drug Shortages*: Ongoing drug shortages continue to plague our specialty and others; since 2006, the number of identified new drug shortages has skyrocketed from 70 to over 213 last year. In a recent ASA-sponsored survey, over 3000 anesthesiologists reported adverse patient outcomes from drug shortages, ranging from greater discomfort and prolonged recovery times to at least six deaths. While the causes of shortages are multifactorial, one contributor has been the lack of FDA authority to require companies to notify users of anticipated shortages. As a result of persistent, effective lobbying by ASA and others, both the Senate and House committees that oversee the FDA now embrace legislative language that promotes enhanced notice requirements from drug makers, and specifically includes anesthetic and emergency drugs.

- *Medicare Anesthesia Payments, IPAB, and the Surgical Home*: Under Medicare, anesthesiologists are paid at 33% of prevailing private insurance rates. Given that our specialty is not driving growth in Medicare spending or volume, ASA advocates that our specialty be “held harmless” from potential SGR cuts. Additionally, ASA along with many other specialties continues to strongly support repeal of the Independent Payment Advisory Board created under the 2010 Affordable Care Act; *this unelected, largely unaccountable body would have broad powers to levy substantial payment cuts on top of SGR cuts*. ASA also advocates an innovative pilot program to surgical care delivery called the Perioperative Surgical Home™, with anesthesiologists as the team leaders working to coordinate and improve quality of care while holding down overall costs.
- *Truth and Transparency*: Non-physician providers are increasingly presenting themselves as MD-equivalents, especially in hospital settings (think “doctor of nursing”). ASA continues to strongly support the bipartisan “Healthcare Truth and Transparency Act,” which mandates accurate information about provider credentials and ensures clarity in advertising and marketing of services.
- *Increasing Rural Anesthesiologist Access*: Current Medicare rules permit more generous Part A funding for non-MD anesthesia providers through a “pass-through” arrangement with small hospitals. ASA continues to support H.R. 1044, which would extend these funds to anesthesiologists serving in rural areas.

Many thanks to our WSSA staff who do so much behind-the-scenes work to facilitate our advocacy efforts, and to our WSSA representatives who donate their time to advocating for our patients and our society. I also thank all of our WSSA members who give to our state society’s political action committee, PAPAC, and to ASAPAC. I strongly encourage you all to contribute to PAPAC and ASAPAC--your efforts and support do pay off!

James Stangl, MD  
President. WSSA