

TO: MSSNY's Officers, Councilors and Trustees

FROM: MSSNY Legislative & Physician Advocacy Committee

DATE: December 14, 2022

RE: Resolution 101 – 2022 House of Delegates
Nassau County Medical Society

The following resolution was referred to the Council by the House of Delegates. The resolution was forwarded to the MSSNY Council for further study and recommendation for the Council's consideration.

RESOLVED, that MSSNY will advocate with the New York State government to create a task force to help maintain the sustainability of independent medical practices in the State of New York.

At the House of Delegates, there was testimony in the virtual Reference Committee hearing in strong opposition to this resolution due to concerns that establishing a task force could lead to more red tape, greater government overreach, and that the policy is repetitive and unnecessary as in the past MSSNY had convened a [Task Force on the Survival of Independent Practice](#), which examined the issue and presented recommendations on options physicians can consider in order to practice successfully in an independent environment. The Reference Committee also expressed concerns that a state task force might decide that independent medical practices are not sustainable and move to shut them down. However, after some debate, the delegates supported a referral to Council upon the motion of one of the delegates.

Specifically, the earlier MSSNY Task Force looked at options for independent physicians to collaborate and create practice models to achieve the goals of diversity of service, economy of scale and collective negotiations. They presented real practice models that were creative in exploring what can be done and have worked for independent practices, making them successful financially and freeing them from many administrative frustrations. These models were offered as options for members to consider, modify and build on.

Recognizing that one size does not fit all, the Task Force presented both collaborative models of care as well as ideas to help those who wish to remain completely independent and general recommendations that are applicable to all physicians. The Task Force also noted that the practice models presented were not specifically endorsed by the Task Force or by MSSNY, and they were not legally reviewed. Members interested in the concepts were advised to perform their own due diligence and advised that they should never enter any form of practice without legal guidance. They also recommended physicians consult with MSSNY's General Counsel member benefit, which offers MSSNY members a free consult and reduced hourly rates.

At the October 17 and December 14 meetings of MSSNY's Legislative and Physician Advocacy Committee, similar concerns were expressed that a legislatively-created task force would have the potential to create more red tape for physicians. It was noted that the American Medical Association (AMA) and The IPA Association of America (TIPAAA) have organized task forces to examine this issue. Given the various work groups already looking at this issue and the concern about unforeseen consequences about legislative involvement, the Committee members agreed that there was not a clear basis for adoption of this resolution.

RECOMMENDATION: That Resolution 101 not be adopted.