

GOVERNOR UNVEILS REVISED BUDGET PROPOSAL

Watch for a Special Budget-Watch Alert Tomorrow

Governor Davis unveiled his revised state budget proposal at a press conference this afternoon in Sacramento. The proposal eliminated a number of the health care cuts included in the governor's previous budget proposal. CMA will publish a special *Budget-Watch Alert* tomorrow that will detail the governor's budget recommendations.

In the special *Alert*, CMA will be ask-

ing physicians to contact members of the Assembly and Senate budget subcommittees by Friday, May 23, to make sure that when the committees meet to discuss the governor's budget proposal on Tuesday, May 27, they understand that any cuts to Medi-Cal will not only harm patients, but will also cost the state more money in the long run.

CMA Board of Trustees Highlights in Next Week's Alert

The CMA Board of Trustees met at the Los Angeles Airport Sheraton on Friday, May 9. The board discussed and voted on issues including the legislative proposals to reduce the number of uninsured and the

Department of Managed Health Care's "prompt pay" regulations (AB 1455). Highlights of the board's actions will be available at <http://www.calphys.org> later this week and in next week's *CMA Alert*.

IMQ Receives Six-Year Recognition from ACCME

The Accreditation Council for Continuing Medical Education (ACCME) recently re-recognized CMA's Institute for Medical Quality (IMQ) as an accreditor of intrastate continuing medical education (CME) programs for a term of six years. Six-year terms are rarely awarded by ACCME and are given only to exemplary organizations.

The award was the result of a comprehensive survey of IMQ's CME accreditation program, which included a

site visit by a team of peers and a thorough review by the ACCME's Committee on Review and Recognition.

IMQ was awarded "recognition with commendation" for, among other things, its excellent communication with CME providers, its customizable consultation program, and its ongoing efforts to examine and improve its CME accreditation program.

Contact: Ann Gilstrap, 415/882-5182 or agilstrap@imq.org.

CMA Helps Develop Smoking-Cessation Website

CMA and other members of the Next Generation California Tobacco Control Alliance have developed a new website—at <http://www.cessation.center.org>—that provides health professionals with resources and information to help their patients stop

smoking. This online resource center is a one-stop shop where physicians can access tools, materials, and information to learn how to successfully help their patients quit. Contact: Robin Flagg Strimling, 415/882-5510 or rstrimling@cmanet.org.

HIPAA TIP: Hospital Staff Training Requirements

Physicians who have privileges at several hospitals complain that they are being required to complete the same HIPAA training at each hospital. The privacy rule is somewhat ambiguous as to the relationship between medical staff members and their hospitals.

While HIPAA does require a hospital to train its "workforce" on the privacy rule, CMA legal counsel does not believe physicians with staff privileges are members of the hospital's workforce. Some hospitals, however, are being cautious and requiring physicians to complete HIPAA training.

Physicians who have already received HIPAA training may wish to notify their hospitals of the training they have received, confirm that they have read the hospital's "Notice of Privacy Practices," and request that the hospital accept this training in lieu of any additional training. Although hospitals are not required to waive their HIPAA training requirements, CMA legal counsel does not believe that hospitals have a legal obligation to require anything more from physicians who provide such documentation.

Physicians who have not completed any HIPAA training, and wish to do so, can request that their hospital sponsor HIPAA training for the medical staff. For information on how to schedule a CMA-sponsored HIPAA training seminar at your hospital, contact visit <http://www.calphys.org> and click on "HIPAA Help." Participants can earn CME credit.

There are 154 days to comply with HIPAA's transactions rule.

For more information, visit the HIPAA Help Center at <http://www.calphys.org>.

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CMA Urges Physicians to Educate Patients About Mercury in Fish

At CMA's 2003 House of Delegates Meeting, delegates passed Resolution 112-03, "Mercury in Food as a Human Health Hazard." The resolution notes that fish is an excellent source of nutrition and that most people have no reason to limit their fish consumption. However, because of the proven risk associated with mercury toxicity and evidence that links fish consumption to elevated mercury levels in humans, CMA encourages physicians to educate their patients about this issue. To assist physicians in this endeavor, CMA has created a white paper that provides background information about mercury toxicity and includes a list of mercury levels in specific types of fish. Download the document at <http://www.calphys.org>.
Contact: Robin Flagg Strimling, 415/882-5510 or rstrimling@cmanet.org.

IMQ Report on Medical Review in California Identifies Needed Improvements

CMA's Institute for Medical Quality (IMQ) has completed phase II of the nation's first study assessing the effectiveness of the independent medical review system. In its report, IMQ made several recommendations on how to improve the system, many of which are being implemented.

Public concern that HMOs might be approving or denying treatment on the basis of cost rather than medical appropriateness motivated state and national legislation mandating patients' rights to independent medical review. A 1998 California law created a process through which patients and their families could resolve disputes with their health insurers. Though the original law only required that patients have access to independent medical review when a health plan denied coverage for experimental or investigational treatments, the law was amended in 2001 to include claims denied as "not medically necessary."

As in phase I of IMQ's study, phase II found that the majority of patients and physicians were unaware of the right to an independent medical review. IMQ's suggested improvements for the system included the creation of a how-to handbook for patients that could be distributed through their physicians' offices or employers. IMQ also recommends that the California Department of Managed Health Care establish a way to verify that the external review committee's decision is implemented

by health plans in a timely manner.

The reports for both phase I and phase II of the study can be downloaded at <http://www.calphys.org>.
Contact: Jill Silverman, 415/882-5169 or jsilverman@imq.org.

IT'S THE LAW: Educate Female Patients About Gynecologic Cancers

California law requires physicians to give written information on gynecologic cancers to their female patients at their annual gynecological examinations. The Medical Board of California has asked CMA to remind members of this law and that they may be fined and cited if they fail to comply with it.

The California Department of Health Services' Office of Women's Health has developed a pamphlet, "Gynecologic Cancers...What Women Need to Know." The pamphlet is available in English, Spanish, Chinese, and Vietnamese and provides easy-

to-read information on all gynecologic cancers, including signs, symptoms, risk factors, and benefits of early detection through appropriate diagnostic testing.

To download a copy of the brochure, visit <http://www.calphys.org>. To order the brochure in bulk, call 916/928-9217 and request a DHS Warehouse Order form.

Don't Miss Lifeguard Proof-of-Claim Deadline

Physicians who have outstanding claims for services provided to Lifeguard Health Plan enrollees prior to September 13, 2002 have until June 6 to submit their proof-of-claim forms. Send completed forms and all supporting documentation to Lifeguard Claims Manager, CPT Group, Inc., 16630 Aston Street, Irvine, CA 92606. Proof-of-claim forms are available for download at <http://www.calphys.org>.

Contact: Aileen E. Wetzel, 916/444-5532 or awetzel@cmanet.org.

Survey: Help Us Help You with HIPAA

FAX SURVEY TO 916/551-2027

As more HIPAA deadlines approach, CMA will be ready to help physicians prepare for and comply with all HIPAA requirements. To help CMA best meet your educational and informational needs, please complete and return the following survey.

1. Were you aware that health plans may reject claims you, your billing service, or your clearinghouse send electronically after October 16 if the claims do not meet HIPAA's transaction requirements? Y N
2. Have you communicated with your software vendor, clearinghouse, or billing service about its ability to conduct electronic transactions by October 16? Y N
3. Do you understand the steps you need to take in order to transmit HIPAA compliant claims by the October 16 deadline? Y N
4. Are you planning on upgrading or changing vendors to comply with HIPAA's electronic transaction rule? Y N
5. If you are interested in services/products from CMA to help you comply with HIPAA, please check the forms of assistance that you think would be most helpful.
 - a) Articles and tips in *CMA Alert* Y N
 - b) Workshops and seminars sponsored by CMA Y N
 - i) The Transaction Rule and getting paid after October 16, 2003? Y N
 - ii) Combined seminar providing updated information on privacy as well as the Transaction Rule and getting paid after October 16, 2003? Y N
 - iii) Privacy and Security rule basics? Y N
 - iv) Privacy and Security rule advanced? Y N
 - v) Detailed seminars or workshops for your office staff? Y N
 - vi) "Tele-seminars" so that you/your staff do not need to leave the office? Y N
 - c) Referrals to consultants who understand the technical changes and can coach you through the preparatory steps that fit your practice? Y N
 - d) Toolkits to help you perform a financial analysis of your options? Y N

ARE YOU WILLING TO COMPLETE A MORE DETAILED SURVEY TO HELP CMA DEVELOP HIPAA RESOURCES?

Y N

Name: _____ E-mail: _____

Phone: _____ Fax: _____