






Pennsylvania r t h o p a e d i c s

Newsletter of the Pennsylvania Orthopaedic Society

Winter/Spring 2005

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President's Message

— P. Christopher Metzger

I begin my term as your new president by extending a sincere thank you to the past leaders of the Society. We owe many thanks to our former presidents who have donated a great deal of time and effort for the Society. Over the years it seems as though more and more time is sacrificed in the fight for medical liability reform. Last year, **Dick Schmidt** devoted countless hours in an effort to develop strong relationships with legislators in Harrisburg to secure MCARE relief for the third consecutive year. **Lewis Sharps** developed a physician-driven insurance product to ensure that orthopaedic surgeons can obtain the coverage they need. The Society initiated and managed a successful public relations campaign during **Bruce Vanett's** term and conducted a state-wide survey on the availability of malpractice insurance coverage and physician exodus from Pennsylvania under **Jeff Baum's** direction. For all of those who have dedicated endless hours working tirelessly for us, I extend my sincere appreciation for your work and effort.

One of my goals this year is to increase membership and physician involvement in the Society. POS and the high-risk specialty coalition, now known as 3PSC, are currently working on an informational piece that can be presented to physician groups, civic organizations, legislators, and businesses in an effort to educate the public about the medical liability situation. The presentation can also be used as a recruiting and educational tool to encourage membership in the Society. I encourage you to use this promotional piece when it is finalized. We are only as strong as our members—recruit a new one today!

I congratulate the orthopaedic surgeons affiliated with Children's Hospital of Philadelphia for being named first in the nation for pediatric orthopaedic care. I am proud that our colleagues are once again ranked top in the nation. This is just an example of why we are working so hard in Harrisburg to preserve patient care through medical liability and insurance reimbursement reform. Excellent medical care is an incredible benefit to Pennsylvanians—both for the high quality care available locally and for the boost it gives our economy when patients from outside the state, as well as other countries, come here for specialty medical care.

President Bush has vowed to support the medical community by encouraging Congress to pass liability reforms at the Federal level. The momentum has begun—we cannot allow it to dissipate. Please contact your local representative and state senators. Schedule an appointment to meet with them to discuss not only medical liability, but insurance reforms for increased reimbursement and other reform measures pertinent to your practice. Remind them that MCARE abatement is working and has helped to keep many surgeons in Pennsylvania, but we still need long-term reforms.

In November 2002, the Board of Directors unanimously passed a resolution that encourages increased board participation in OrthoPAC. The resolution encourages each member to contribute \$1000 per year. Please contribute or increase your contribution to this level of giving so we can continue to work on legislative and professional issues that challenge our profession. I thank you for your support, and ask not only for your support, but for your participation. We have a lot to accomplish this year and cannot do it alone.

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Pennsylvania Orthopaedic Society

Look Over Fall Meeting Highlights



POS President Chris Metzger enjoyed a little “Schmidt humor” as well as some sage advice from Dick Schmidt, outgoing President, as Dr. Schmidt passed the gavel to him at the conclusion of the 2004 Fall Scientific Meeting.

Schroder Named Legislator of the Year



Representative Curt Schroder, center, expressed his pleasure to Michael Moses, left, and Chip Hummer, right, after being named POS Legislator of the Year for 2004 at the Society’s Fall Meeting in Philadelphia.



Gary Muller, MD, said hello to his daughter and staunch POS meeting exhibitor, Lindsay Muller of Tri-State Imaging, during a scheduled meeting break.

POS conducted a successful Trauma meeting at the Philadelphia Park Hyatt at the Bellevue in November. Guest speakers included David Apple, MD, Medical Director, Sheperd Center, Atlanta, Georgia; David Barei, MD, Orthopaedic Specialist, Harborview Medical Center, University of Washington, Seattle, Washington; Fred Corley, MD, Professor of Orthopaedics, University of Texas Health Science Center at San Antonio, San Antonio, Texas. Congratulations to **Gerald Williams Jr., MD** for coordinating a wonderful program. Director of Healthcare Reform, Rosemarie Greco was featured as a luncheon speaker along with POS Legislator of the Year, Representative Curt Schroder. Both Ms. Greco and Rep. Schroder are POS champions in the fight for medical liability reform.

The Pennsylvania Orthopaedic Society recognized state Rep. Curt Schroder (R-East Brandywine) as Legislator of the Year for 2004 during a brief ceremony held during its annual meeting in Philadelphia.

In 2002, Schroder championed a new law making several changes to the malpractice legal system to help control costs for insurers, which would ultimately lower malpractice insurance rates and enable doctors to continue practicing in the Commonwealth.

Last year, Schroder led the charge to pass legislation that would give voters the opportunity to decide whether the state constitution should be amended to allow the legislature to place caps on non-economic damages. Although the effort was not successful, Schroder and the many other lawmakers who support caps will continue to pursue this legislation in the 2005-06 session.

“A strong healthcare system is vital to the health and well-being of Pennsylvania families as well as our economy,” Schroder said, “Left unchecked, the medical malpractice insurance crisis could destroy our healthcare system, leaving more than 12 million Pennsylvanians without the kind of care they need and deserve.”

COLLECT YOUR MONEY

Tired of losing one third or more of your money to collection agencies? POS has the solution. For one flat fee per account, National Credit Systems, Inc (NCS), will get the job done for you. Unlike other collection agencies, NCS does not charge percentage fees. Collection costs are based on the number of NCS Claims ordered—not on a percentage of the money collected. See insert or contact POS 717-909-8901 for more information on this new member benefit.

Select Officers Step Up

P. Christopher Metzger, MD took office as the President of the Society at the conclusion of the 2004 Fall Meeting. Dr. Metzger will serve a one-year term as President. He currently practices in Scranton at Scranton Orthopaedic Specialists.

After graduating from the Pennsylvania State University, Metzger earned his medical degree from Hahnemann Medical College in Philadelphia. He then completed his Orthopaedic Surgical Residency at Hahnemann Medical College and Hospital. Dr. Metzger serves as team physician for Abington Heights High School in Clarks Summit and the Scranton/Wilkes Barre Red Barons Team (Philadelphia Phillies AAA Affiliate). He was recognized as the 2003 Physician of the Year by the Pennsylvania Athletic Trainers Society, and was awarded the American Research Education Foundation Order of Merit in 1990. He also holds a faculty position at Marywood University.

Dr. Metzger will be succeeded next year by First Vice President, **Josh Port, MD**, followed by newly nominated Second Vice President, **Chip Hummer, MD**.

New Members Welcomed Active

Raymond M. Bleday, MD, *Titusville*
 Eric T. Evans, MD, *Pittsburgh*
 Mark A. Fye, MD, *Pittsburgh*
 Dan H. Gottwald, MD, *Warren*
 Thomas Little, MD, *Gettysburg*
 Jeffrey R. McConnell, MD, *Allentown*
 Jose Enrique E. Nazar, MD, *Towanda*
 Donald F. O'Malley Jr, MD, *Jefferson Hills*
 Vincent J. Paczkoskie Jr, MD, *Meadville*
 Edward D. Poon, MD, *Jefferson Hills*
 Ira Stanley Porter, MD, *Lancaster*
 Steven M. Raikin, MD, *Philadelphia*
 Robert D. Santrock, MD, *Meadville*

Associate

Hari P. Bezwada, MD, *Philadelphia*
 Eric C. Chamberlin, MD, *Mckeesport*
 Brian J. Cross, DO, *Pittsburgh*

Resident

Daniel Kensinger, MD, *Philadelphia*
 Suzanne Jaffe, MD, *Philadelphia*

CHOP Orthopods Top in Nation

The Pennsylvania Orthopaedic Society congratulates the orthopaedic surgeons affiliated with Children's Hospital of Philadelphia (CHOP) for being named first in the nation for pediatric orthopaedic care. The honor was listed as part of the February 2005 *Child* magazine's top ten children's hospitals in the nation and specialty honors. CHOP received the top spot for best overall children's hospital. *Child* pinpointed the leading facilities in five specialty areas: cancer care, cardiac care, emergency medical care, neonatal care, and orthopaedic care. In recognizing CHOP's orthopaedic care, *Child* wrote: "Physicians have pioneered 15 orthopaedic surgical procedures and are internationally renowned for their skill in limb-sparing

surgery and removing tumors from bones. The hospital has also created a unique Musculoskeletal Center, which brings together orthopaedic doctors and ten pediatric subspecialists to treat conditions such as spina bifida and scoliosis." **John Dormans, MD**, pediatric orthopaedic surgeon at CHOP commented on the award, "We remain committed to the care of children and families with, not only the most difficult, uncommon, and challenging musculoskeletal problems, but to the care of all children who present to our facility. We are, indeed, fortunate to be a part of The Children's Hospital of Philadelphia team and work within a pediatric healthcare network with facilities and support such as that provided by The Children's Hospital of Philadelphia healthcare system."

ORTHOPAEDIC CALENDAR

PENNSYLVANIA ORTHOPAEDIC SOCIETY MEETINGS

POS Spring Scientific Meeting

"Sports Medicine—Outside the Cruciate Intersection"

April 14–16, 2005

The Grand Floridian

Walt Disney World®, Florida

POS Fall Scientific Meeting

"Controversies in Hip and Knee Arthroplasty"

November 17-18, 2005

Omni William Penn

Pittsburgh, Pennsylvania

POS Spring Scientific Meeting

"Topic TBA"

May 4-6, 2006

Atlantis, Paradise Island

The Bahamas

PHILADELPHIA ORTHOPAEDIC SOCIETY MEETINGS

Moore Lecture

March 14, 2005

Vincent Pellegrini, MD

Rechtman Lecture

April 11, 2005

James Michelson, MD

The John R. Gregg Memorial Resident Bowl

May 9, 2005

Join your colleagues at the

John R. Gregg

Memorial Resident Bowl

The College of Physicians

of Philadelphia

19 South 22nd Street

Philadelphia, PA 19103

(Admission by invitation only)

2005 MEDICARE FEE SCHEDULE UPDATE PUBLISHED

On November 15, 2004, the Centers for Medicare and Medicaid Services (CMS) published its final rule for the 2005 physician fee schedule, which includes several provisions that will affect reimbursement for musculoskeletal procedures. The final rule announces that the 2005 conversion factor will be \$37.89, which is a 1.5 percent increase from 2004. As a result of this increase in the conversion factor, payment rates for many orthopaedic services will increase slightly from 2004.

However, the payment rate for some musculoskeletal procedures might vary from the 1.5 percent increase because Medicare makes additional adjustments based on a number of other factors. For 2005, the key provisions of the final rule that altered payment rates for specific musculoskeletal procedures are: adjustments to practice expense and professional liability relative value units, the conversion factor, geographic practice cost indices, and physician scarcity area incentive payments.

Relative Value Units

Medicare uses a resource-based relative value scale (RBRVS) to reimburse physicians. Under this system, medical services and procedures are ranked according to the relative costs of resources required to provide a service. Medicare implements RBRVS by assigning three different types of relative value units (RVUs) for every procedure listed on its fee schedule: an RVU for physician work, an RVU for practice expense, and an RVU for professional liability insurance.

The 2005 Medicare fee schedule incorporates more than 2,200 changes to practice expense RVUs based on recommendations made by the AMA/Specialty Society Practice Expense Advisory Committee (PEAC). PEAC refinements of practice expense inputs for many musculoskeletal procedures are incorporated into the 2005 fee schedule, and in a number of instances, this led to a decrease in practice expense RVUs. Changes in practice expense RVUs often create a noticeable change in payment rates for a given procedure because practice expense accounts for 43.6 percent of the reimbursement for a given procedure. The trend of decreasing practice expense RVUs for musculoskeletal procedures is mainly the result of Medicare's decision to transition to resource-based practice expense RVUs. Medicare began the transition in 1998, and is close to completing this task. When the transition to resource-based practice expense RVUs is complete, there will be fewer fluctuations in practice expense RVUs.

Medicare also revised professional liability insurance RVUs for

2005. It adopted a specialty-weighted approach where professional liability insurance RVUs are based upon the weighted average of the risk factors for all specialties performing a given service. In addition, Medicare used updated data in calculating professional liability insurance RVUs. This included actual 2001 and 2002 malpractice premium data, projected 2003 premium data, and actual 2003 Medicare payment data on allowed services and charges.

For orthopaedic surgery, the overall impact of these changes is that professional liability insurance RVUs for many musculoskeletal procedures will increase by approximately 0.4 percent. However, it is important to remember that changes in payment rates for procedures because of professional liability insurance accounts for only 3.9 percent of the reimbursement rate for a code.

(Please turn to page 7)

Governor Signs MCARE Extension Bill



On December 13, 2004 Gov. Ed Rendell signed legislation to support physician payments to the state-run catastrophic medical liability insurance program. POS board member, Lewis Sharps, MD, attended the Governor's mock signing ceremony at the Philadelphia College of Physicians on behalf of high-risk specialty surgeons. In November 2004, the General Assembly passed the measure (HB1211) with overwhelming support. High-risk specialty surgeons will receive full abatement from their 2005 MCARE charges, while other physicians receive 50 percent abatement.

Left to right are Rosemarie Greco, Director of Healthcare Reform, Lewis Sharps, MD, Governor Rendell, Nick Micozzie, House Insurance Committee Chairman, and POS Lobbyist Jonathan Bigley, Esq.

Workers' Comp Increase for 2005 is 3.8%

Fees for workers' comp services performed on or after January 1, 2005 are calculated and paid in the following manner:

$$2005 \text{ WC Fee} = 2004 \text{ WC Fee} \times 1.038 \text{ (103.8\%)}$$

This formula does not apply to new and revised codes. (see below)*

All workers' comp insurance carriers and self-insured employers have received notice of the 3.8% increase from the Bureau of Workers' Comp in Harrisburg. For your convenience, a copy of this notice is included with this newsletter.

Forwarding a copy of this notice with your 2005 claims may be helpful to insuring that you are paid at the updated rate.

Auto Reimbursement

To calculate fees for 2005 auto claims, multiply the 2005 Medicare rate by 110%.

If you have any questions, please call POS at 888-772-7900.

2005 WC Fee Schedule Available

Check your actual workers' comp reimbursements against what they should be, according to law.

Available in hard copy or CD, this POS

member benefit lists the 2005 workers' comp fees as published by the PA Bureau of Workers' Compensation for all CPT and HCPCS codes conceivably used by an orthopaedic practice. To order, complete the information in the box below and mail or fax to: Pennsylvania Orthopaedic Society, 500 North Third Street, 11th Floor, Harrisburg, PA 17101-1111. FAX: 717-909-8906. Questions? Call Kathy DeWittie at POS: 888-772-7900.

Practice Name _____

Attention _____

Address _____

City _____ State _____ Zip _____

County _____

Phone _____

Medicare Area# (if known) _____

Qty _____ Item _____ Price _____

2005 WC Fee Schedule

_____ HARD COPY - (50+ pages on three-hole paper) - \$55.00 for POS members; \$85 for non-members \$ _____

_____ CD - Microsoft Excel 2002 - \$55.00 for POS members; \$85 for non-members \$ _____

Check enclosed payable to the *Pennsylvania Orthopaedic Society* Charge my credit card: VISA MC AMEX

Card # _____ Exp. date _____

Cardholder Name _____

Your fee schedule will be mailed within two weeks of receipt of order.

***Notice to Practices Who Have Ordered the WC Fee Schedule in Prior Years:** You are advised to order a new fee schedule each year because the old schedule does not contain truly new and revised codes; therefore, revising the old schedule results in inaccurate information.

Exhibitors/Sponsors Support Fall 2004 Scientific Program

POS extends a sincere thank you to the following companies for their support of its 2004 meeting in Philadelphia:

Advanced Data Systems	Genzyme Biosurgery	National Rehab Equipment
Advanced Surgical, Inc.	Graham Bowdler Associates, Inc.	NeuMed
Aircast, Inc.	Hanger Prosthetics and Orthotics	Ortho BioTech Products
Ambulatory Surgical Centers of America	Healthtronics Surgical Services	Orthofix, Inc.
American Red Cross Tissue Services	Hitachi Medical Systems America, Inc.	Orthopedic Products Sales, Inc.
Arthrocare/Opus Medical	Industrial Pharmacy Management	Orthovita, Inc.
Arthrotek	InVision Healthcare, Inc.	Pfizer, Inc.
Aventis Pharmaceuticals	KMI - Kinetikos Medical, Inc.	Prosthetic Orthotic Solutions, Intl.
BetterHealth Global (USA), Inc.	MedEast Post-Op & Surgical	Sectra, North America
Bonell Orthopedic Bracing	Medical Evaluation Specialists	Smith and Nephew
Canon Technology Solutions	Merck	Stryker Endoscopy
Depuy	Mosby/Saunders	Stryker Micro Implants
Disc Orthopaedic Technologies, Inc.	MTF-Musculoskeletal Transplant Foundation	Stryker Orthopaedics
EBI LP	National Medical Imaging	Synergy Orthopaedics/djorthopaedics
Etransmedia		Synthes
Exactech, Inc.		Tri-State Imaging
Flack Financial Group		Wyeth
		Zimmer

A special thanks goes out to the following sponsors:

Depuy	Pfizer, Inc.	Synthes
Invision Healthcare, Inc.	Smith and Nephew	Zimmer
Orthovita, Inc.	Stryker Endoscopy	

Hsu Wins Resident Competition

Victor Hsu, MD, a resident physician with the Department of Orthopaedics at Temple University Hospital in Philadelphia was judged the winner of the Resident and Fellow Paper Presentation Competition held as part of the Pennsylvania Orthopaedic Society's Fall 2004 Scientific Meeting, "Trauma," held November 11 and 12, 2004 at the Park Hyatt Philadelphia at The Bellevue. Dr. Hsu's winning presentation was titled "Elastic Instability, Columnar Buckling, and Orthopaedic Injury."

Other selected presenters for the competition included **Hari P. Bezwada, MD**, University of Pennsylvania School of Medicine; **Thomas R. Bowen, MD**, Geisinger Medical Center; **Robert A. Gallo, MD**, Allegheny General Hospital; **Gregory E. Raab, MD**, Penn State Milton S. Hershey Medical Center; and **Venkata R. Rapuri, MD**, Thomas Jefferson University.

Are YOU Ready to Lobby ?

The 2005 legislative session may seem far off, but now is the time to begin our lobbying campaign. Next year the legislature will again be working with important issues that affect your practice and your patients such as MCARE abatement, Workers' Comp issues, and insurance reimbursement. The proven way to be victorious in the legislature is to have grass roots constituents develop a relationship with their legislators.

Following are some easy ways to begin that relationship:

- ▶ Get involved in your legislators' campaign by requesting a yard sign, walking in a parade, or making a small donation.
- ▶ After the election in November, send your legislators a short note congratulating them on their victories and offering to serve as a resource on orthopaedic issues when they arise.
- ▶ Follow your note with a call, another note, or meeting at the beginning of session outlining the orthopaedic society's issues and concerns.

If orthopaedists lay this groundwork now, then during the heat of session POS will be able to effectively present its case when a bill is about to be voted on. Amidst all the other correspondence and lobbying, our message will stand out because legislators will be able to identify with the name and personality of an orthopaedist in their district.

And, just like many areas of our personal and professional lives, a little planning and preparation can help to ensure that the final outcome is satisfactory. Now is the time to begin developing a relationship with your legislators. It will pay off again and again with benefits to you, your practice, and your patients.

2005 Medicare Fee Schedule Reviewed

(continued from page 4)

Five-Year Review

For 2005, Medicare did not make adjustments to physician work RVUs for existing musculoskeletal procedures. However, it did announce the initiation of the five-year review, which is a process to identify misvalued physician work RVUs. This five-year review represents the third time Medicare has undertaken this Congressionally mandated review. For the upcoming five-year review, Medicare will revise undervalued work RVUs for services and procedures identified by the medical community. In addition, Medicare has indicated it will also examine high-volume codes across all specialties where the procedure: 1) was previously performed in the inpatient setting, but is now performed predominantly on an outpatient basis; and 2) has no data or old data (i.e. procedures that have not been reviewed by the AMA/Specialty Society RVS Update Committee).

The five-year review process is important because it affects physician work RVUs, which accounts for 52.5 percent of the reimbursement for a given code. A change in physician work has a significant impact on reimbursement. To illustrate this point, a 20 percent increase in the value of a physician work RVU will increase the overall reimbursement rate for a procedure by at least 10 percent. In contrast, a 20 percent increase in the value of a professional liability RVU will increase overall reimbursement for a given procedure by only 0.6 percent.

The AAOS is a member of the AMA/Specialty Society Relative Value Scale Update Committee (RUC). The RUC is an advisory body to Medicare that makes RVU recommendations for annual updates to the fee schedule, as well as for the five-year review. The AAOS participates in the RUC because it provides an opportunity to advocate on behalf of the orthopaedic community for appropriate payment rates for musculoskeletal procedures.

The AAOS has already begun preparing for the five-year review and has identified a number of undervalued musculoskeletal services within the fee schedule. However, the AAOS will need the help of its members to collect specific data that will be used to defend reimbursement rates for musculoskeletal procedures. For several months during 2005, the AAOS will be sending out surveys to collect data. If you receive a survey, it is vitally important for you to complete it because Medicare reimbursement rates for the surveyed procedures might *decrease* if the AAOS cannot collect sufficient data. The survey results will directly impact your Medicare reimbursement.

Conversion Factor

The conversion factor is a multiplier used to convert RVUs into a dollar amount reimbursement rate. A change in the conversion factor affects payment for all procedures and services under the Medicare fee schedule. Medicare states the conversion factor for 2005 will be \$37.89, which is a 1.5 percent increase from last year's update.

Medicare normally updates the conversion factor each year through a complex formula specifically defined by federal statute. Under this formula, the 2005 conversion factor would have decreased 3.3 percent. This cut was averted because Congress mandated in the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 that the update to conversion factor for 2005 could not be less than 1.5 percent.

There are numerous problems with the conversion factor formula that have led to significantly lower Medicare payments for physicians over the last couple years. The AAOS continues to lobby and actively seek ways to improve the conversion factor formula.

Physician Scarcity Incentive

Another provision of the final rule that impacts payments for specific localities across the country is a new incentive payment for specialists furnishing services in physician scarcity areas (PSAs). Medicare will pay specialists an additional 5 percent for specialty care provided to Medicare beneficiaries in PSAs. The PSAs were determined by identifying localities that had the lowest specialist to Medicare beneficiary ratios. PSAs are listed in the final rule by postal zip codes.

Geographic Practice Cost Indices

Medicare uses geographic practice cost indices (GPCIs) to adjust payment rates for medical services and procedures based on cost-of-living differences for 89 Medicare payment localities across the country. The 2005 final rule revised work and practice GPCIs. Work GPCIs are calculated using wage data from seven professions other than medicine. This wage data is then broken down by county, and used to calculate specific locality work GPCIs. Adjustments to work GPCIs incorporated recent data from the 2000 U.S. Census. Medicare updated practice expense GPCIs using the most recent employee wage and office rent indices. To access the 2005 Medicare physician fee schedule final rule, go to: <http://www.cms.hhs.gov/providerupdate/newphysregs.asp>



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Pennsylvania Orthopaedic Society Spring 2005 Scientific Meeting

"Sports Medicine—Outside the Cruciate Intersection"

April 14–16, 2005

*The Grand Floridian Resort and Spa
Walt Disney World®, Florida*

Guest Speakers:

Kenneth DeHaven, MD, University of Rochester School of Medicine, Rochester, NY,

Peter Fowler, MD, Fowler Kennedy Sports Medicine Clinic, Ontario, Canada

Contact POS for more information: 888.772.7900 or nan@paorthosociety.org