

# American Academy of Otolaryngology—Head and Neck Surgery Board of Governors (BOG) eNews—June 2009

## BOG Information & Updates

### Updates from the AAO-HNS/F Boards of Directors (BOD) Spring Meeting

On Saturday, June 6, the BOD met at Academy headquarters. Among the many motions passed, the BOD approved next fiscal year's operating budget, approved committee recommendations, and approved the revised BOG Rules and Regulations. Be on the lookout in the coming weeks for email notifications with regards to these and other items.

### AAO-HNS BOD Approves Scope of Practice, Tobacco, and MLR Policy Statements

At its meeting on June 6, 2009, the AAO-HNS Board of Directors (BOD) approved three policy statements – Scope of Practice of Non-Physician Providers, Tobacco Use and Second-Hand Smoke, and Medical Liability Reform – that were developed by the Board of Governors (BOG) Legislative Representatives Committee with input from AAO-HNS staff, BOG leaders, and the BOD. The policy statements may be viewed on the [Academy's website](#), and are meant to provide guidance to members, staff, lawmakers, and the public on policy issues being considered at the federal and state levels.

### BOG Committee Meetings and General Assembly at the 2009 Annual Meeting & OTO EXPO

BOG staff is currently finalizing the schedule for BOG committee meetings during the Annual Meeting. Make plans now to attend the BOG Miniseminar on the workforce shortage issue, which will be held on Monday, October 5, 2009 in San Diego, CA.

Join the BOG for its General Assembly meeting on Monday, October 5, 2009 from 5-7 PM. All are welcome to attend but each society attending **MUST** ensure that they have one **eligible** voting representative at this meeting. Decide now who will represent your society to avoid confusion! For schedule updates, visit the [BOG Programs & News webpage](#).

### American Board of Otolaryngology (ABOto) Requesting Nominations for Task Force on New Materials

The ABOto's Task Force for New Materials generates the multiple choice questions for the Otolaryngology Training Examination (In-Service Exam) and the Written Qualifying Examination. ABOto is asking its sponsoring societies for nominations for the Task Force. Nominees should be certified by the ABOto and be willing to write up to four questions a month for six months a year during their three year term. New members are required to attend a half-day workshop on developing items at the beginning of their term. Send your nominee's name, address, telephone number, area of specialization, and a one paragraph statement that explains why you believe the nominee will do a good job to Lauren Durst ([Ld@boto.org](mailto:Ld@boto.org)) at the ABOto office by **July 13, 2009**.

### BOG eNews Now Available Online

View recent past editions of the BOG's bi-monthly email newsletter [here](#).

### My Communities Now Available on <http://www.entnet.org>

The AAO-HNS is currently in its first phase of launching the new AAO-HNS/F My Communities feature. The following BOG committees have been selected to take part in this phase: Executive Committee, Legislative Representatives Committee, Nominating Committee, Public Relations Representatives



sponsor, Senator Ruth Hassell-Thompson, and your legislators urging their support are critically important. Please act today! [Access the alert and sample letter.](#)

### **Oklahoma Academy of Otolaryngology-HNS: New Legislation in OK Addresses Sleep Diagnostic Testing** *Submitted by John Houck, MD*

On May 27, Governor Brad Henry signed Senate Bill 810 (SB 810), the “Oklahoma Sleep Diagnostic Testing Regulation Act” into law after the effort by hospital based sleep labs to put pressure on free standing sleep labs. SB 810 states that there is a growing need for sleep diagnostic testing in the state, that Oklahoma law does not provide sufficient regulation for sleep diagnostic testing to assure the protection of the public, and that there is a need to provide legislation to regulate persons performing sleep diagnostic testing on the citizens of Oklahoma. SB 810 will require facilities and physicians to adhere to certain standards:

- Require that the interpreting physician is board-certified in sleep medicine by the American Board of Sleep Medicine (ABSM);
- Require that the supervising physician is board-certified in sleep medicine by the American Board of Sleep Medicine (ABSM);
- On and after January 1, 2010, sleep diagnostic testing facilities would be required to be fully or provisionally certified or accredited by the American Academy of Sleep Medicine (AASM), the Joint Commission, and the Accreditation Commission for Healthcare (ACHC).

Note that sleep lab accreditation can be obtained through the Joint Commission by following their rules for ambulatory care centers. View the full text online: [http://webserver1.lsb.state.ok.us/2009-10bills/SB/SB810\\_ENR.RTF](http://webserver1.lsb.state.ok.us/2009-10bills/SB/SB810_ENR.RTF). Dr. John Houck would like to know if this is happening in other states. Contact him at [john-houck@ouhsc.edu](mailto:john-houck@ouhsc.edu) or 1-405-271-5504 with your comments.

### **Oregon Academy of Otolaryngology-HNS (OAO-HNS) Meeting Updates** *Submitted by Pat Webster, Society Administrator*

The OAO-HNS has two upcoming meetings. One is the Fall CME Meeting and DeWeese Lectureship taking place on Friday, November 6, 2009 from 8:00 AM to 5:00 PM at [The Governor Hotel](#) in Portland, OR. Speakers include Dennis Kraus, MD of the Memorial Sloan Kettering Cancer Center and Colin Driscoll, MD of the Mayo Clinic. Complete program and registration information will be available in the fall. The OAO-HNS’s Mid-Winter CME Ski Meeting will take place February 26-28, 2010 at the [Sunriver Resort and Spa](#) in Sunriver, OR. Jay O. Boyle, MD of the Memorial Sloan – Kettering Cancer Center is the meeting’s featured speaker. Complete program and registration information will be available in November. For more information on either meeting, contact [oaohns@theoma.org](mailto:oaohns@theoma.org).

### **Pennsylvania Academy of Otolaryngology-HNS (PAO-HNS) Annual Meeting** *Submitted by Helen Krause, MD*

The PAO-HNS annual scientific and business meetings took place June 11-13 at the Bedford Springs Resort, a two hour drive from Pittsburgh and Harrisburg. The council meeting was held Thursday night and the scientific and business meetings were held Friday morning. PAO-HNS members enjoyed the location, as the resort highlights both its historical past and its recent \$21 million renovation, which includes a new spa, a renovated golf course, and a stocked fishing lake. Visit <http://www.otopa.org> for more information.

### **San Francisco Bay Area ENT Society Updates**

*Submitted by Steven Kmucha, MD JD FACS*

- The numerous local/regional otolaryngology societies in California continue to work with Terry Davidson, MD, the president of the California Society of Otolaryngology (CSO), to unify and coordinate the efforts of these various organizations, as the AAO-HNS, the CSO, and the California Medical Association (CMA) do not all recognize the same societies. This lack of coordination has led to missed opportunities for California otolaryngologists. A formal face-to-face meeting of the CSO and California's local/regional societies is in the works in conjunction with this year's AAO-HNS Annual Meeting & OTO EXPO in San Diego.
- Steven Kmucha, MD JD FACS has resigned his position on the physician advisory group of CCHRI/CPPI project due to CCHRI/CPPI project leaders refusing to change care attribution methodology in significant ways to eliminate the high error rate that comes from misattributing care.
- Steven Kmucha, MD JD FACS replaces Winston Vaughan, MD as the Carrier Advisory Committee (CAC) representative for otolaryngology to Medicare/Palmetto (California).
- Steven Kmucha, MD JD FACS, has been nominated to continue to serve as an advisor to the Health Services Advisory Group (HSAG), which replaced Lumetra, the prior California Medicare QIO, at the end of 2008.

### **Virginia Society of Otolaryngology-HNS (VSO-HNS) 2010 Annual Meeting**

*Submitted by Jane Davis, Society Administrator*

Mark your calendars now! The 2010 VSO- HNS Annual Meeting will be April 29 to May 1, 2010 at the Charlottesville Omni in Charlottesville, Virginia. The meeting provides an opportunity to meet other otolaryngologists and discuss issues that affect the specialty.

### **West Virginia Academy of Otolaryngology-HNS 2009 Annual Meeting**

*Submitted by Diane Slaughter, Society Administrator*

[The Greenbrier](#), one of America's premier resorts, is intact and waiting to welcome members and guests for the West Virginia Academy of Otolaryngology-HNS's annual meeting, taking place from October 30-November 2, 2009. Visit [www.wvao-hns.org](http://www.wvao-hns.org) soon for details.

### **American Neurotology Society (ANS) Annual Meeting**

*Submitted by Kristen Bordignon, Society Administrator*

The ANS will hold its 44th Annual Fall meeting in San Diego, CA on October 3, 2009 at the San Diego Marriott and Marina. Two panels will be included in the program; the first will be moderated by Dr. Samuel Selesnick and is entitled "Office Based Procedures in Otology and Neurotology." The second panel will be lead by Dr. Lawrence Lustig and is entitled "Frequently Encountered but Vexing Cases of Sensoineural Hearing Loss." An outstanding group of panelists have been chosen to participate in round table discussions. Audience Participation through Audience Response Technology will be used during the panel presentations. Other highlights include the Franklin M. Rizer lecture entitled "The State of Bilateral Cochlear Implantation: 2009" presented by Dr. Gerard O'Donoghue. Dr. Phillip Gutin will present the William E. Hitselberger lecture titled "Difficult Meningiomas: A Neurosurgical Perspective. Everyone is invited to registration is available through the [ANS website](#) or via email at [neurotology65@yahoo.com](mailto:neurotology65@yahoo.com).

**National Medical Association Annual Convention & Scientific Assembly in Las Vegas, Nevada July 25 - 29, 2009**

*Submitted by Steven Sims, MD*

The National Medical Association's (NMA) Annual Convention and Scientific Assembly is the nation's foremost conference devoted to medical science and African American health. The 2009 NMA Annual Convention and Scientific Assembly offers an exciting venue to interact with the largest spectrum of African American physicians, academicians, and scientists in the country, as well as other allied health professionals. This year's otolaryngology section will specifically focus on healthcare disparities in otolaryngology. Visit [www.nmanet.org](http://www.nmanet.org) for more information.

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## **Academy News**

**AAO-HNS is Now on Twitter: @AAOHNS**

Follow us, and tweet back at <http://twitter.com/AAOHNS>

**Early Discounted deadline is June 29, 2009 - REGISTER NOW! Annual Meeting & OTO EXPO  
Registration Now Open**

Early registration and housing for the 2009 AAO-HNSF Annual Meeting & OTO EXPO in San Diego, CA, October 4-7, is now open! Don't miss this outstanding opportunity to attend the world's largest gathering of otolaryngologist-head and neck surgeons, for networking, CME, and to gain access to the most extensive exhibit of products and services for the specialty. [Register](#)

## **Education**

**Coming in August 2009 – Online Launch of Patient of the Month Program (PMP)**

Patient of the Month Program is an exciting electronic, print and now online review series that simulates real-life clinical decision-making with each issue presenting a different patient case. Earn up to 64 AMA PRA Category 1 Credits™ per year (8 per case study). For more information, visit the [PMP home page](#).

## **ENTRI**

**Don't forget to tell your colleagues! FREE webinar: Introduction of the Academy Benefit Partners 401(k) program**

**Tuesday, June 23, 12:30 PM and 5:30 PM EST**

ENT Resources, Inc. (ENTRI), the for-profit subsidiary of American Academy of Otolaryngology-Head and Neck Surgery, is pleased to sponsor "Academy Benefit Partners Integrated Retirement Plan Solutions" webcast on June 23, 2009 at 12:30 PM and 5:30 PM EST. This event will feature Michael Sanford, ENTRI Vice President of Business Development. This webcast will cover:

- 401(k) Plans and Market Turmoil
- Investment Policy Statement
- Fee Transparency
- Independent Fiduciary (McLean Asset Management)
- Exchange Traded Funds (Invest N Retire)
- Maximizing contributions (Retirement Solutions Advisors, LLC)

Contact Michael Sanford at 1-703-879-7715 or [msanford@entnet.org](mailto:msanford@entnet.org) to reserve webinar seats or for more information. You can also visit [www.academybenefitpartners.com](http://www.academybenefitpartners.com) for more information.

## Government Affairs

### Join the AAO-HNS Key Contacts Network!

Do you have a personal relationship with any federal or state public officials? In an effort to strengthen the Academy's grassroots advocacy efforts, your Government Affairs team is developing the Key Contacts Network, a database of key legislative contacts in the states and on the federal level. Becoming a member of the Key Contacts Network provides you the unique opportunity to help influence healthcare policy issues impacting the specialty. Our members' relationships with key elected officials are more important now than ever, with historic healthcare reform pending in Congress. As a member, the AAO-HNS Government Affairs team may ask for your assistance in working with your legislative contact on key healthcare legislation. To join, send the name of your contact, their position, and your relationship with the public official to [govtaffairs@entnet.org](mailto:govtaffairs@entnet.org) or contact Megan Bronson at 1-703-535-3795. Additionally, you can find out more about policy issues through Twitter! Start today; follow us at <http://twitter.com/AAOHNSGovtAffrs>.

### Support ENT PAC Today!

As healthcare reform legislation continues to take shape, help ensure the AAO-HNS has access to key Members of Congress by contributing to ENT PAC. Contributions can be made online or by using the ENT PAC brochures that were sent to BOG members earlier this year. ENT PAC donors will be recognized on a "Wall of Honor" during Annual Meeting. This display will list the names of all contributors from January 1 – September 1, 2009. For more information or to donate online, visit [www.entnet.org/practice/entpac.cfm](http://www.entnet.org/practice/entpac.cfm).

## Health Policy

### Know Your Obligations: When a Patient Requests an Interpreter

The Americans with Disabilities Act (ADA) Title III (42 U.S.C § 12181- § 12189) requires physician offices to provide "effective communication" with hearing-impaired patients, using auxiliary aids and services. These auxiliary aids and services may include qualified interpreters, assistive listening devices, and/or written materials, although this is not a comprehensive list. (28.C.F.R § 303 (b)(1)). The physician is entitled to choose among these auxiliary aids, as long as the physician consults with the patient about their preferred method of communication. The physician is not required to provide an interpreter for every hearing impaired patient, nor are they required to provide the interpreter for every visit.

Some key points:

- The physician's office may not charge the patient for providing these services.
- The physician's office may not request or require a family member or friend to serve as interpreter for the patient.
- If the patient requests that a family member or friend serves as their interpreter, that is permissible.
- The ADA does not require provision of auxiliary aids or services if it would present an undue burden or a fundamental alteration of the service being provided.
- Undue burden is very difficult to prove in court.
- A physician's office may not refuse to see a patient who requires an auxiliary aid or service.

- The physician's office may refer the patient to another physician when the patient's presenting complaint is outside of the physician's area of specialization.
- Patients who are not accommodated as required by the ADA are entitled to pursue legal action, either through a private suit or by filing a complaint with the Attorney General.
- Additional resources:
  - There are tax credits available for businesses. See <http://www.usdoj.gov/crt/ada/taxpack.htm>
  - AMA resource: <http://www.ama-assn.org/ama/pub/physician-resources/legal-topics/regulatory-compliance-topics/the-americans-disabilities-act-hearing-interpreters.shtml>

## **Support Your Academy!**

### **Join the Millennium Society: Advance the Specialty**

As leaders of the Academy's grassroots efforts, you are intimately aware of the needs facing the specialty, and of our Academy's and Foundation's efforts to meet them. Generous support from Millennium Society donors enables us to meet the needs of today's otolaryngologists in so many ways, including providing operating support for programs related to:

- Research
- Quality/Safety
- Guidelines development
- Physician education
- Patient/Public outreach
- Resident programs
- Resident travel grants
- Leadership development
- Humanitarian travel grants/outreach
- International grants/outreach

BOG members continue to show their support by joining the Millennium Society through a tax-deductible gift of \$1,000 or more each calendar year. When you consider joining, encourage your peers to do the same. Visit the [Millennium Society webpage](#) to learn about the recognition afforded to society members or call Julie Wolfe, Senior Manager of Development, at 1-703-535-3717 to join today. We look forward to welcoming you to the Millennium Society!