

DRAFT Meeting Summary, September 11, 2018, 3:00 PM to 5:00 PM
Physician Maintenance of Certification Work Group
Maryland Health Care Commission
MHCC Offices, 4160 Patterson Avenue, Baltimore, MD

Committee Members and Delegates in

Attendance:

Please Confirm

Ben Steffen, MHCC
Megan Renfrew, MHCC
Jennifer Witten, MHA
Rianna Matthews-Brown, Hopkins
Debbie Rivkin, CareFirst
Steve Wise, MedChi
Delegate Dan Morhaim

Dr. Michael Nelson, ABMS
Tinna Quigley, League of Life & Health Insurers

Other Individuals in Attendance:

Robert Axelrod, KP
Lindsay Rowe, DLS
Charlie Sheffield, ABMS
Sarah Pendley, AAG
Jeremy Stavely, AAP

Welcome

Ben Steffen welcomed members to the meeting. All individuals attending the meeting introduced themselves

Brief Updates

Ms. Renfrew of the Maryland Health Care Commission (MHCC) reminded group to review July 24th meeting summary and return comments by September 14th.

Please confirm attendance at July 24th meeting.

She reported on some research on Medicare conditions of participation. See two paragraphs on hand out for meeting. Certification should not be sole decision fact for hospitals. There does appear to be an incentive payment for MOC payment under pre-MIPS payment schemes.

There is a letter from DOJ antitrust division in response to correspondence from Del. Morhaim. The letter seems to misunderstand the role of this group with respect to proposing legislative content, but the analysis is worth reviewing.

Review of draft

Ms. Renfrew showed the draft, which included some, but not all, of the line edits and comments submitted by work group members before the meeting. The work group walked through the draft and discussed suggestions and questions. Key points include:

1. MHCC is recommending a change to the current wording in the draft relating to the lack of consensus about a recommendation. There was a discussion whether the committee's charge required a recommendation (it does not).

2. There was an extended discussion of the organization and content of the draft's "justifications and concerns" section, including disagreement about the sufficiency of CME without assessment, the connection between recertification and quality, the importance of including information about other ways in which physicians are evaluated, and other concerns about work choice.
3. In the "Approaches" section:
 - a. Staff were asked to rework this section, and particularly the headings, to prevent readers from considering these items to be recommended actions and to clarify who needs to take action to make these approaches happen.
 - b. There was a discussion about Frederick Memorial's current bylaws and whether the group discussed getting rid of maintenance of certification all together. There was also a discussion about how the statistics on the number of physicians at that hospital using NBPAS should be reported.
 - c. The work group continued past discussions about the sufficiency of CME without assessment and the value of competition between board certifying entities.
 - d. The group also discussed the accuracy of the descriptions of other state statutes and the description of why hospitals are concerned about statutory approaches.
4. In the "additional findings" section: the representative of the League of Life and Health Insurers clarified that one member does require board certification and recertification.
5. In the final sections, there was a discussion about the "Maryland should continue" paragraph. The experience of other states is too new to provide useful information now. The state's work will always be constrained by resources.

The group then discussed the letter from DOJ. Delegate Morhaim asked that it be included in an addendum to the report and a note that it arrived late and was added for information only. Other work group members expressed that they had not had time to review the letter and that the group did not ask for this letter, Delegate Morhaim did. Megan noted that the letter author was confused about the content of our work group considerations that that she was bothered by this misstatement of facts. Delegate Morhaim noted that the letter is now public record and it is fine if it is not included.

Next Steps-

1. Commission update—Sept. MHCC meeting
2. Edits to Megan
3. MHCC edits report
4. MHCC shares with work group
5. Conference call- final comments
6. Document done
7. Present at commission meeting. Oct 16th
8. Submit to HGO chair by 11/1