

Final 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:**

Ben Steffen, MHCC  
Megan Renfrew, MHCC  
Jennifer Witten, MHA  
Rianna Matthews-Brown, Hopkins  
Debbie Rivkin, CareFirst  
Steve Wise, MedChi  
Delegate Dr. Dan Morhaim  
Dr. Michael Nelson, ABMS  
Pegeen Townsend, Medstar

Tinna Quigley, League of Life & Health Insurers  
Dr. Christina Stasiuk, Cigna

**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 24<sup>th</sup> meeting summary and return comments by September 14<sup>th</sup>.

Please confirm attendance at July 24<sup>th</sup> 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 16<sup>th</sup>
8. Submit to HGO chair by 11/1