



## 2009 Foundation Events

### **AMCNO Legal Issues Seminar Offers Helpful Updates**

The Academy of Medicine of Cleveland and Northern Ohio (AMCNO) and the Academy of Medicine Education Foundation (AMEF) sponsored two legal seminars in April that were well attended by physicians and physician office staff. Presenters included Ed Taber, Esq., Kathleen Atkinson, Esq. and Anne Kordas, R.N., Esq. from Tucker, Ellis and West LLP, Amy Leopard, Esq. from Walter & Haverfield LLP, and R. Mark Jones, Esq. and Cheryl O'Brien, Esq. from Roetzel & Andress, LPA with AMCNO president-elect Dr. Anthony Bacevice facilitating both sessions. The presenters informed the audience of the legal issues currently impacting physicians in their practices.

The first session focused on the top ten medical malpractice risks as Mr. Taber explained that malpractice litigation oftentimes is initiated by angry people due to perceived bad outcomes. Lawyers for plaintiffs build cases by fishing for things such as poor care, bad charting or documents, or bad testimony (i.e. physician is not well prepped for a deposition by his/her lawyer).

According to statistics provided by the Ohio Department of Insurance (ODI) on medical malpractice claims, the top specialties involved in claims (for years 2005, 2006 and 2007) are internal and family medicine, general surgery and emergency room issues. The ODI data shows the highest dollar amounts per case in these same years in the specialties of orthopedic surgery, gastrointestinal, neurology, pathology, anesthesiology, emergency room and OB/GYN.

The top ten medical situations appearing in lawsuits, examples, and ways to avoid them were cited by Mr. Taber. These top ten items included: blood coagulation, medication errors/side effects; OB injured baby; decubitus ulcers; falls; surgical injury to surrounding tissue and organs; infections; missed myocardial infarction (MI); post-discharge communication; and late cancer diagnosis.

Mr. Taber noted that a positive bedside manner and complete and clear documentation is always most helpful.

During the next presentation on physician apology laws, Ms. Atkinson and Ms. Kordas explained that in 2004 an Ohio law passed known as the physician apology law, prohibiting the use of a physician's or staff member's statements of sympathy for an "unanticipated outcome" as evidence in a medical liability action. The law applies to civil actions and arbitrations, health care providers and their employees, statements made to the alleged victim, or a relative or representative of the alleged victim, and is inadmissible as evidence of an admission or liability.

While to date there have been no cases in Ohio to test this new law, in many states around the country, protections are limited to expressions of sympathy, which are not statements acknowledging fault. It is always best to talk with the patient at the time there has been an error rather than waiting until a lawsuit situation. Attendees were encouraged to consult with their legal counsel or risk management department about requests by the patient or family to put something in writing.

The next presentation by Ms. Amy Leopard explored the adoption of electronic health records (eHR) and health information technology (HIT) stimulus, updated attendees on the HIT donation rules and identified contractual issues with vendors. Ms. Leopard explained there is a lot happening around President Obama's commitment to invest in HIT and reduce red tape, prevent medical mistakes and save billions of dollars every year by making the system more efficient.

The final presentation by Mr. R. Mark Jones and Ms. Cheryl O'Brien focused on the source of "never events." The HHS created Centers for Medicare & Medicaid Services (CMS) to administer the Medicare and Medicaid programs with its mission being to ensure effective, up-to-date health care coverage and promote quality care for beneficiar-



ies. The Deficit Reduction Act of 2005 directed the HHS to designate "at least two conditions" that result in a heavy financial burden to Medicare and Medicaid, changing the mission of CMS from care focus to expense focus. This Act directed that Medicare and Medicaid will not reimburse hospitals for costs incurred to treat these conditions after October 2008 if the conditions were not present at the time of admission.

In 2008 CMS designated eight conditions or "never events" that it won't reimburse hospitals for the associated medical costs such as retained surgical objects, air embolism, blood incompatibility, and more. Every year CMS is charged with finding more "never events" and for 2009 another nine potential conditions have been identified: (1) surgical site infections following certain elective procedures, (2) Legionnaires' disease, (3) extreme blood sugar derangement, (4) iatrogenic pneumothorax, (5) delirium, (6) ventilator-associated pneumonia, (7) deep vein thrombosis/pulmonary embolism, (8) staphylococcus aureus septicemia, and (9) clostridium difficile associated disease. The consequences of "never events" have been financial pressure on hospitals from CMS and Leapfrog, care delivery pressure on doctors from hospitals, financial pressure from Leapfrog organizations to avoid "never events" as a means to improve quality of care and ensure reimbursements, and liability cost pressure on professional insurance carriers and doctors in underwriting and claims risk assessment.

**The AMCNO and AMEF wish to thank all of the presenters for their participation in these sessions.**



## Scholarships

AMEF awards scholarships each year to third- and fourth-year medical students (MD / DO) who are or were residents of Cuyahoga, Summit, Lake, Geauga, Ashtabula, Lorain or Portage counties, and who demonstrated an interest in being involved in organized medicine and community activities. Applicants must also possess leadership skills and demonstrate academic achievement. AMEF scholarships will be awarded to third- and fourth-year medical students attending the following: Case Western Reserve University School of Medicine, Cleveland Clinic Lerner College of Medicine of CWRU, Northeastern Ohio Universities College of Medicine, and Ohio University College of Medicine.

Applications are due no later than January 31st of the year in which the student is to begin their third or fourth year of study. Scholarship recipients will receive their award at the annual meeting of the Academy of Medicine of Cleveland & Northern Ohio in April of that same year.

A copy of the scholarship application is available on The Academy of Medicine of Cleveland & Northern Ohio (AMCNO) Web site under the AMEF link at [www.amcnoma.org](http://www.amcnoma.org). ■

## Donations/Contributions

Did you know that contributions made by December 31st of the year could reduce taxes on returns filed by April 15th of the following year and that missing that date delays tax savings for a full year? That is why charitable gifts should be made well before Christmas. Timing is everything where year-end tax donations are involved, so don't delay. Plan as if the year ends on December 15th.

The AMEF is a 501(c)(3) tax-exempt organization dedicated to the improvement of health care. The AMEF touches the lives of physicians, medical school students and citizens across the region, through scholarships, community health projects and education. Please review the numerous opportunities to be involved in the Foundation's efforts and consider making a donation. All donations are fully tax-deductible. If you have any questions please e-mail Secretary-Treasurer Elayne Biddlestone at [ebiddlestone@amcnoma.org](mailto:ebiddlestone@amcnoma.org) or call her at (216) 520-1000, ext. 100.

### Cash Donations

To donate by check, simply send your gift by mail to AMEF, 6100 Oak Tree Blvd., Ste. 440, Independence, Ohio 44131. AMEF accepts donations made with payments through Visa or MasterCard, please call (216) 520-1000 ext. 100 to make a credit card gift to the Foundation.

### Stock Gifts

Gifts of appreciated stock are a convenient way to contribute to the AMEF. There are often many tax benefits for donors through tax deductions for the full fair market value of the contributed stock, and avoidance of taxes on capital gains. For more information about this type of giving please call AMEF at (216) 520-1000, ext. 100.

### Tribute Gifts

Remembering or honoring a family member, friend, loved one or colleague by making a gift to AMEF is a meaningful gesture. Any gift to the AMEF may be made "in memory of" or "in honor of" someone or some occasion. For information on this type of giving you may contact AMEF at (216) 520-1000, ext. 100.

### Planned Gifts

AMEF can help you learn more about planned giving. Planned gifts offer many benefits through tax deductions and/or reducing estate taxes. For information on this type of charitable giving contact AMEF at (216) 520-1000, or go to the AMCNO Web site at [www.amcnoma.org](http://www.amcnoma.org) and click on the AMEF link.

## AMEF Scholarships

The Academy of Medicine Education Foundation (AMEF) presented six local medical students with scholarships worth \$5,000 each at this year's AMCNO Annual Meeting. The scholarships were awarded to: Patrick Blake-CCF Lerner, Edwin Jackson-OU, Syed Mahmood-CWRU, Priya Malik-CCF Lerner, Marisa Quattrone-CWRU, and Rachel Roth-CCF Lerner.

This was the fourth year scholarship monies were presented to recipients as part of the program of the AMCNO's Annual Meeting and Awards dinner, with students and their respective families in attendance.

AMEF enhances the philosophy of the AMCNO in its focus on health-oriented education for physicians, their staff and for patients by providing support for meaningful education and highlighting the value and quality of healthcare in our community.



*The AMEF scholarship recipients gather at the podium after receiving their \$5,000 scholarship award. Left to right – Patrick Blake, Edwin Jackson, Priya Malik, and Marisa Quattrone. Not pictured – Syed Mahmood and Rachel Roth.*



# Integrate Retirement Planning With Charitable Giving

Brought to you by Philip G. Moshier, CFP, CRPC

In conjunction with Sagemark Consulting, a division of Lincoln Financial Advisors, a registered investment advisor or Lincoln Financial Securities Corporation

For many Americans, giving money to charity—during their lifetime or in their will—is an important financial goal. But common sense says you shouldn't do so at the expense of other goals—for instance, educating your children or funding your own retirement. By thinking ahead it's possible to include charitable giving in the comprehensive financial planning process.

## Beyond Taxes

When you integrate charitable giving with your other goals the most important question to ask yourself is: "Do I have a heart for charity?" Don't make donations just to get a tax deduction. While you get a nice deduction, people tend to be bitter about money they gave away if they don't have enough assets in 10 or 15 years when they retire. The bottom line is that charitable contributions may reduce your tax liability, but make sure those dollars are truly discretionary before giving them away.

Charitable contributions can take many forms. Most people are familiar with giving cash or checks. But it's also possible to donate stock or other securities. The advantage is you may not have to pay capital gains taxes on any appreciation in the value of the publicly traded securities—and you may receive an income tax deduction for the current market value. Note that your choice in charitable beneficiaries may affect your allowable charitable deduction.

Other, more sophisticated strategies are also available, such as family foundations. Although the assistance of an attorney is needed, you and your family members can use the foundation to make gifts to

your favorite charities. Other commonly used charitable vehicles include:

- *A charitable remainder trust.* You retain an income interest for a period of time. Then the assets go to the named charity. The donor gets the income plus an available income tax deduction based on the present value of the interest going to charity.
- *A charitable lead trust.* It operates in reverse, with payments first going to charity. After a period of years the assets go to a noncharitable beneficiary you select. This strategy works best for individuals who don't need the income the assets will generate in retirement but want to control who gets the property.

## Giving During Retirement

Before starting the charitable giving process, determine what your passion is and who you want to help the most. Charity does truly begin at home, and you should make sure you have enough assets to maintain your standard of living in retirement. Work with your financial advisor from the beginning to make sure you have sufficient discretionary assets to continue making charitable contributions in retirement. Computer modeling can help gauge what any financial decision—including large gifts to charity—will mean 10 or 20 years in the future, and they can determine if gifts may be possible in the future after you've met your other financial goals.

## Charitable Bequests

There are generally three places your money can go when you die—to family

members, to charity or to estate taxes. An estate plan can help you control who gets your money at the lowest possible tax cost. In their wills, people often list charities and the dollar amount each will receive. But, make sure your estate can afford the bequests. If you make specific bequests and the market declines, there might not be enough left to take care of family members.

How you phrase things in your will can make a big difference. Consider, for example, a \$2 million estate that makes five \$100,000 bequests to individual charities. If the estate shrinks to \$1 million, the charities now get 50% of the estate instead of 25%. Instead, consider leaving beneficiaries a specific percentage of your estate. With a \$2 million estate, \$100,000 is 5%. If the estate shrinks to \$1 million, 5% is only \$50,000, but more is left for family members.

## Future Legacy

Oftentimes, people's charitable interests often expand as retirement nears. They have a greater sense of their mortality and wonder about their legacy. Giving to charity can help add meaning to their life. With proper estate planning, you and your spouse not only can have a comfortable retirement but also leave a charitable legacy that will continue even when you're gone.

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## AMEF Funds Used to Co-Sponsor the Consortium for Healthy and Immunized Communities (CHIC) Annual Event

Through the generous support of the Academy of Medicine Education Foundation (AMEF) and others, the Consortium for Healthy and Immunized Communities (CHIC) and Boonshoft School of Medicine hosted a one day CME credited immunization symposium on September 25th at Windows on the River in Cleveland. This conference was made possible through grants from Every Child by Two, The Academy of Medicine Education Foundation (AMEF), Wyeth Pharmaceuticals, Merck and CHIC membership.

The symposium titled "Reflections of Change" drew participants from around the state. Nationally renowned speakers, included: Dr. Lance Rodewald, the Director of the Immunization Services Division of the CDC who spoke on new immunization resources and community partnerships, Dr. Silvania Ng from Infectious Disease Associates in Cincinnati discussed the impact of shingles, Dr. Ari Brown, pediatrician and author of Baby 411 from Capital Pediatric Group of Austin, Texas advised the audience on successful ways to address parental concerns on immunizations, Dr. Jane Seward, Deputy Director for the National Center for Immunization and Respiratory Diseases at the CDC, presented on notable recent

vaccine preventable disease outbreaks. Frankie Milley, Founder and Executive National Director of Meningitis Angels, gave a personal account on the loss of her son to meningitis and her work in legislation to mandate the meningitis vaccine.

In addition to these excellent speakers, 26 practices throughout the state were recognized by the Ohio Department of Health for their efforts in the last year for maintaining and improving their immunization rates through the use of AFIX (Assessment, Feedback, Incentives, eXchange). AMEF congratulates CHIC on another successful program.

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### Healthlines Radio Program

AMEF provided co-sponsorship with the AMCNO of the well-established and award-winning *Healthlines* radio program, which provides healthcare related information from expert member physicians to the community. This sponsorship affords AMEF the opportunity to establish itself in the community. Recordings of the 2009 Healthlines program may be downloaded from the AMCNO web site at [www.amcnoma.org](http://www.amcnoma.org).

### Thank you to the following interviewees who appeared on *Healthlines* through October 2009:

Dr. Heather Gornik	Dr. Andrew Garner
Dr. Paul Schoenhagen	Dr. Julia Tan
Dr. Mark Schickendantz	Dr. Salim Hayek
Dr. John-Eric Jelovsek	Dr. Mario Skugor
Dr. Carol Rosen	Dr. David Stroom
Dr. Susan LeGrand	Dr. Tim Steinemann
Dr. Amy Marks	Dr. Paul Saluan
Dr. John Bergfeld	Dr. Bruce Lowrie
Dr. Ann Bacevice	Dr. Laura David
Dr. Gerard Isenberg	Dr. Robert Salata
Dr. Charles Modlin	Dr. John Bastulli



# AMEF

## Academy of Medicine Education Foundation

As the cost of medical education continually increases, financial assistance for medical students is more important than ever. And as you may know, a physician shortage is predicted in the next decade with studies showing there may not be enough qualified physicians to meet the medical needs of an aging population in coming years. AMEF needs funds to provide scholarships to medical students to assure that our medical schools continue training physicians to meet the needs of patients in the future. Your contribution to AMEF will help us with this laudable goal. In addition, your funds will be used to assist with other worthwhile Foundation activities. Contributors will be acknowledged on the AMCNO Web site, in future newsletters and when the medical scholarships are awarded at our annual meeting. Included with this newsletter is a give envelope for AMEF. A separate mailing has also been sent out to all past scholarship recipients and all AMCNO members requesting donations/contributions to the AMEF. Please include AMEF in your charitable giving plans.

The Academy of Medicine Education Foundation (formerly the Cuyahoga County Medical Foundation – CCMF) was formed by the physician leadership of The Academy of Medicine of Cleveland & Northern Ohio. Original funding came from voluntary contributions as a result of a successful polio vaccination program sponsored by the Academy of Medicine of Cleveland in the years 1958 and 1962. The largest continuing commitment of the foundation is student scholarship grants to worthy students in the medical field. Since its inception, the foundation has granted more than \$1.3 million to such qualified students. The Foundation has historically initiated many programs of benefit to the community at large including the creation of and funding for: the Sabin Oral Sunday initiative as well as a polio and tetanus immunity program, the Poison Information/Control Center, the Tel-Med project, a program that provided medical care to local unemployed residents and has co-sponsored and funded various healthcare related seminars and programs across Northeast Ohio for decades.

## The Purpose of AMEF

### AMEF may apply funds to the following charitable and educational purposes:

- Promoting education and research in the field of medicine by the establishment or financing of fellowships, scholarships, lectures, projects and awards on such terms as the Trustees deem best;
- Providing and promoting education programs on the science of medicine, including presentations on clinical care and new procedures;
- Providing and promoting health education for the welfare of the community, identifying public health issues and unmet community health care needs and make proposals for dealing with such issues and filling such needs for the benefit of the public;
- Maintaining and providing educational materials and publications concerning health care to the members, related public service organizations and citizens of the community;
- Supporting medical education at local medical schools by providing lectures and counseling services;
- Supporting local public health programs and initiatives;
- Sponsoring seminars on topics of medical education and public health issues;
- Assisting in the production of educational radio and television programs, telephone recordings, and computer and electronic programs and materials, designed in each case to educate members of the general public on matters of health care and public health issues;
- Making grants, donations, or contributions of funds or other property in the trust estate to other charitable, scientific, and educational trusts, organizations or institutions, organized and operated for any of the purposes set forth in subparagraphs above, or for uses that are in furtherance of any of the other purposes of this Trust, including for medical research and education, public health programs, and public and community education relating to health care and wellness programs, provided that no part of the net income of such trusts, organizations, or institutions inures to the benefit of any private shareholder or individual and that no substantial part of the activity of such trust, organization, or institution is the carrying on of propaganda, or otherwise attempting to influence legislation, or participating or intervening in any political campaign.



# 2009 Golf Outing Highlights

Eighty-seven golfers enjoyed Sand Ridge Golf Club on Monday, August 3, 2009 at the Academy of Medicine Education Foundation's (AMEF) sixth annual Marissa Rose Biddlestone Memorial golf outing. Foursomes competed in a shotgun start tournament that raised more than \$38,000 for AMEF. The funds will be utilized for medical student scholarships, annual CME seminars and the *Healthlines* radio program. The 2009 AMEF scholarship recipients were invited to join the group for dinner: Patrick Blake-CCF Lerner, Edwin Jackson-OU, Syed Mahmood-CWRU, Priya Malik-CCF Lerner, Marisa Quattrone-CWRU, and Rachel Roth-CCF Lerner.

## 1st Place Team

Mark Gersman, MD; Kurt Lutz, Michael Shaughnessy, MD; Bob Wenz, MD

## 2nd Place Team

Kindred Hospitals: Jason Adams, John Dobrowski, MD; Richard King, MD; Jim Mosnot

## 3rd Place Team

University Hospitals Medical Practice and Dr. Matthew Levy: Wilson Beers, Matt Levy, MD; Matthew Mark, MD; Scott Platz

Prizes were also awarded for the following:

## Closest to the pin

Jeff Molter, Joe Piero, Michael Shaughnessy, MD and Mark Mingione

## Longest Drive

John Moscarino and Kevin Geraci, MD

## Longest Putt Holed

Clay Bacevice



## AMEF Golf Committee

John Bastulli, MD

Victor Bello, MD

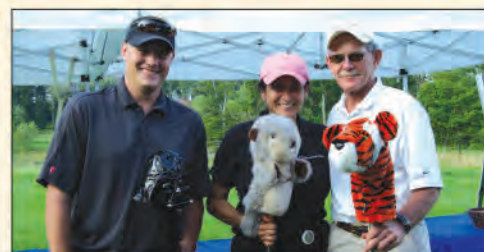
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A special thank you goes to all event, hole and hole-in-one sponsors who made the day possible:

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Classic Mini of Mentor

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Visiting Nurse Association of Ohio

Get your clubs ready for next year's event — August 9, 2010 at Kirtland Country Club



# AMEF Contributors (formerly known as CCMF)

A special thank you to our contributors from 1990 to present

## \$15,000 and more

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As the cost of medical education continually increases, financial assistance for medical students is more important than ever. And as you may know, a physician shortage is predicted in the next decade with studies showing there may not be enough qualified physicians to meet the medical needs of an aging population in coming years. AMEF needs funds to provide scholarships to medical students to assure that our medical schools continue training physicians to meet the needs of patients in the future. Your contribution to AMEF will help us with this laudable goal. In addition, your funds will be used to assist with other worthwhile foundation activities. Contributors will be acknowledged on the AMCNO Website, in future newsletters and when the medical scholarships are awarded at our annual meeting. Included with this newsletter is a give envelope for AMEF. A separate mailing has also been sent out to all past scholarship recipients and all AMCNO members requesting donations/contributions to the AMEF. Please include AMEF in your charitable giving plans.

## Meet the AMEF Board of Trustees

The AMEF Board of Trustees is comprised of dedicated individuals possessing the vision to recognize the value of a charitable component to the AMCNO. The Foundation Board of Trustees is responsible for making decisions, developing policy and providing specific direction to the Foundation.

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Kevin T. Geraci, MD  
Ronald A. Savrin, MD  
William H. Seitz, Jr., MD  
Elayne R. Biddlestone, Secretary-Treasurer

## Mission

The mission of AMEF is to enhance healthcare through education of the medical profession and the community at large. The purpose of AMEF is to add a charitable component to the AMCNO and to partner with the AMCNO in implementing new initiatives for both physicians and the patient population through charitable, educational and scientific efforts. AMEF enhances the philosophy of the AMCNO in its focus on health oriented education for physicians, their staff and patients by providing support for meaningful education and highlighting the value and quality of healthcare. A showcase for a philanthropic spirit is provided through the Foundation for physicians who desire to give back to the community and the profession they serve.