



## 2010 Foundation Events

### The Academy of Medicine Education Foundation Co-Sponsors Legal Issues Seminars for Physicians

The Academy of Medicine of Cleveland & Northern Ohio (AMCNO) and the Academy of Medicine Education Foundation (AMEF) co-sponsored their annual legal issues seminars in April which were well-attended by both physicians and physician office staff. Presenters included John Mulligan, Esq., from McDonald Hopkins, LLC, David Valent, Esq., from Reminger Co., L.P.A., and Amy Leopard, Esq., from Walter and Haverfield LLP with President-Elect Dr. Laura David facilitating both sessions. The presenters informed the audience of the legal issues currently impacting physicians in their practices.

During the first session, Mr. Mulligan talked about the evolution and change involving the privacy and security of patient information. Audience members were cautioned that while they may receive requests for the release of medical records that are deemed to be HIPAA compliant disclosures, in fact they may not be authorized. Building expertise internally and establishing an internal process to verify appropriate authorization before providing information will avoid problems with breaches in privacy of patient information. Routine review and sharing of things such as recent court decisions, their problems and pitfalls helps providers keep on top of compliance information and findings.

Physicians having the best intentions to comply with what they think is required can result in serious problems or claims and even law suits. HIPAA has strict requirements for authorization. Mr. Mulligan pointed out that while HIPAA permits certain disclosures, Ohio has its own state statutes separate from HIPAA that also needs to be considered for compliance.

Mr. Mulligan also explained that there have been significant developments regarding security of health information in the Health Information Technology for Economic and Clinical Health Act (HITECH Act) and cited some examples of breaches of security, including thefts of company data, laptops and also carelessness in the handling of records. Regulations of the HITECH Act establish breach

notification requirements when a breach is uncovered as well as penalties for breaches.

In the event you are made aware of a breach, notice must be given to the patient and also the Department of Health and Human Services without unreasonable delay but not more than 60 days after the discovery. Where more than 500 individuals are involved, media notice is also required. Depending on the nature of the breach, HITECH Act monetary penalties can range from \$100 to \$50,000 per violation.

The last area of Mr. Mulligan's talk focused on the changes with business associates. The HITECH Act expanded HIPAA standards to institute liability for business associates with breaches of privacy of health information. There now are civil and monetary penalties associated with these. Too, it is significant that if either the business associate or covered entity becomes aware of a breach by the other, they must provide the other with notice and ensure that the other takes reasonable steps to clear the breach. If this does not happen, the contract must be terminated.

The next topic, "Are you RAC Ready?", was presented by Mr. David Valent and included an overview of the recovery audit contractor (RAC) process for Medicare reimbursements in order to assist audience members with becoming RAC ready. In 2007 with Medicare errors representing \$10 billion in lost monies, the government and congress enacted legislation that led to establishing the new RAC process to facilitate the recovery of payment for the most common billing errors, including incorrect payment amounts, duplicate claims/services, claims for non-covered services and incorrect coding.

According to Mr. Valent, one of the biggest differences between the old system and the new system is that under the new system the RACs are paid a commission of 12.5% for identifying over billing and under billing of monies to CMS. That said, the Ohio company, CGI, is extremely motivated to find errors and collect money.

There are two types of audits that can be conducted: automated and complex. The demand letter and appeal process is

somewhat different depending on the type of audit. With automated audits, a certain number of claims are automatically submitted by CMS to CGI. When CGI receives the claims they run them through their programs, looking for simple duplicate claims, etc. that the computer can identify. If an error is revealed, a demand letter is sent.

During a complex audit, CGI sends a letter to the targeted provider notifying them of the audit and then members of its staff (i.e. doctors, nurses, professional coders) go through the provider's records looking for services billed that were not medically necessary.

Mr. Valent talked about appeal rights and explained that just because you get a demand letter, it doesn't mean that you necessarily have to pay the money back. He stressed that a demand letter is the RAC's claim – in Ohio's case CGI's claim -- of incorrect billing and providers should not be quick to write a check without a thorough investigation to ensure the determination is accurate.

The final presentation by Ms. Amy Leopard reviewed the framework for the new *Medicare and Medicaid electronic health records (EHR) incentive programs* and the new Centers for Medicare and Medicaid Services (CMS) proposal on Meaningful Use (MU) eligibility. Since CMS published the Medicare and Medicaid Electronic Health Record (EHR) Incentive Programs Notice of Proposed Rule Making (NPRM), the AMCNO physician and staff leadership have examined the ruling for problem areas and have prepared and submitted a letter to CMS with Ms. Leopard's assistance.

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

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## 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: Shamima Ahmed – Northeastern Ohio Universities College of Medicine, Timothy Anderson – Case Western Reserve University School of Medicine, Alexandria Howard – Northeastern Ohio Universities College of Medicine, Andrew Ibrahim – Case Western Reserve University School of Medicine, Craig Jarrett – Cleveland Clinic Lerner College of Medicine, Priya Malik – Cleveland Clinic Lerner College of Medicine.

This was the fifth 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 with Dr. Victor Bello after receiving their \$5,000 scholarship award. (left to right) Craig Jarrett, Andrew Ibrahim, Dr. Bello, Alexandria Howard and Tim Anderson. (Not pictured: Shamima Ahmed and Priya Malik).

# Five financial strategies for 2011

2011 brings an opportunity to get your finances on track. These five easy-to-implement strategies could yield benefits for years to come.

The past few years of market volatility may have dealt a blow to your investment portfolio, while leaving you confused over how to manage your finances in a rapidly changing economic landscape. 2011 provides an opportunity to take action to get your financial life in order.

"Now is an ideal time to review your finances and make a plan," says Philip Moshier, CFP®, a financial planner with Lincoln Financial Advisors Corp. in Cleveland. Moshier offers the following five financial strategies for helping to get into financial shape.

- **Review your investment strategy.**

The first step is to check your portfolio's asset allocation, or its mixture, on a percentage basis, of stocks, bonds, and cash investments. Along with stocks, bonds and mutual funds be sure to consider other asset classes such as real estate and commodities. When looking at your allocation, you want to take into consideration all of your assets including your retirement accounts, savings accounts, and pension plans as well as brokerage accounts. What's the right mix? That depends on your financial goals, time horizon and tolerance for risk, among other variables. Completion of a risk tolerance questionnaire, available from your advisor, is a good starting point in determining your optimum asset allocation. Your advisor can help you decide whether your current investment balance is appropriate—and can help you implement changes if it isn't. No plan or strategy can assure a profit or protect against losses in a declining market.

- **Rebalance, if necessary.** Your review may reveal that market events have skewed your targeted asset allocation. The result? A portfolio that's too aggressive or too conservative for you. "Asset classes will get out of balance periodically," says

Moshier. "They won't fix themselves—you need to take action to get your allocations in line with your strategy."

Moshier recommends annual or semi-annual rebalancing. Check to see how the market's movements shifted your asset allocation. If they differ significantly from your targets—say, five percentage points or more—you can add new money to or sell off assets in out of balance categories. Rebalancing may have tax implications so it is important to coordinate your financial planning strategies with your income tax effects.

- **Create a retirement income plan.**

Your retirement plan income will likely come from 3 buckets – your company retirement plans or your IRAs, outside investment accounts and Social Security. The proper coordination of these plans will provide you with the most efficient streams of income from both a tax and an investment point of view. There are many decisions to make at retirement which a financial advisor can assist with but the decisions made while accumulating assets are equally, if not more, important. Moshier recommends taking steps now to help ensure that you'll have sufficient assets to fund your retirement lifestyle. Talk to your financial planner to assess your current retirement income plans viability and make adjustments as needed.

- **Maximize tax-advantaged plans.**

Traditional 401(k)s and traditional IRAs let you contribute pretax money that has tax-deferred growth potential. You'll pay income tax on withdrawals from these plans. Roth IRA contributions are after-tax income, but they have tax-free growth potential. Whichever accounts you use, contributing the maximum allowable makes best use of the accounts. Many employers also offer

matching incentives for employees who contribute to their 401(k) plans. Moshier recommends contributing as much as you can to these plans and maximize the employer match programs.

Remember that investors of all income levels can convert traditional IRA accounts to Roth IRAs. Ask your advisor if a conversion is appropriate for you. While the decision can be complex, you may find that converting may offer potential benefits.

- **Take advantage of low asset values for estate planning.**

The recent economic downturn has decreased asset values, including real estate, family businesses, and other holdings. Certain estate planning strategies may enable you to lock in low asset values to help reduce your heirs' eventual estate taxes. "It's been the perfect storm for some estate planning strategies," says Moshier. "Now you can pass along much more of your wealth, and its future growth can potentially avoid estate taxation." Ask your advisor whether the time is right for you to put a wealth-transfer strategy in place.

Taking these simple steps to help control your finances may yield benefits not only in the coming year, but for years to come.

### Three questions to ask your financial planner:

- Does my portfolio hold the appropriate mix of stocks, bonds, cash, and other assets?
- Do I need to rebalance? If so, what is the most efficient method?
- How can I save more for retirement?

Philip Moshier is a registered representative and investment advisor representative with Lincoln Financial Advisors Corp., a broker-dealer and registered investment advisor, 28601 Chagrin Boulevard, Suite 300, Cleveland, OH 44122, 216-765-7400, offering insurance through Lincoln affiliates and other fine companies. This information should not be construed as legal or tax advice.

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### AMEF Funds Used to Sponsor Business Practice Session for Residents

Through the generous support of the Academy of Medicine Education Foundation (AMEF) and the William E. Lower Fund, the AMCNO provided the venue for a seminar geared toward resident physicians entitled "Preparing for the Business Aspects of Practicing Medicine." This seminar covered such topics as estate planning for young physicians, benefits available to physicians,

legal issues for new physicians joining a medical practice, business opportunities for new physicians and disability programs and planning for the future.

### Healthlines Radio Program – Segment on AMEF History Featured

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. In addition, one week of the *Healthlines* program featured an interview with Dr. Ronald Savrin, Past President of the AMCNO and member of the AMEF board. Dr. Anthony Bacevice, Jr., conducted the interview with Dr. Savrin which featured a detailed history and overview of the Academy of Medicine Education Foundation (AMEF). Recordings of the 2009-2010 *Healthlines* program may be downloaded from the AMCNO web site at [www.amcnoma.org](http://www.amcnoma.org).

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Thank you to the following interviewees who appeared on *Healthlines* in 2009-2010 (list is current through October 2010):

Dr. Joseph Crowe	Dr. Pedro Escobar
Dr. James Liu	Dr. David Rowe
Dr. Henry Bartkowski	Ms. Amy Andres (OHIP)
Dr. Matthew Levy	Dr. Richard Fratianne
Dr. Cristina Cabrera	Dr. Roxanne Sukol
Dr. Greg Nemunaitis	Dr. Ann Bacevice
Dr. Sanjeev Sharma	Dr. Ingrid Tuxhorn
Dr. James Ulchaker	Dr. Michael DeGeorgia
Dr. Carol Burke	Dr. Ben Walter
Dr. Alan Lichtin	Dr. Srivinas Merugu
Dr. Amy Marks	

#### Annual AMEF fundraiser

Every year in August, AMEF sponsors an event designed specifically to raise funds for the foundation. A charitable golf outing in memory of Marissa Rose Biddlestone, daughter of the AMCNO Executive Vice President and CEO, who succumbed to leukemia in 2003. Now in its seventh year, this annual outing has raised more than \$210,000 for the foundation—funds that will be utilized for local medical student scholarships and the aforementioned AMEF projects. (See page 5 for more details about this year's event.)



# 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 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 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 educational 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.

# 2010 Golf Outing Highlights

Golfers enjoyed Kirtland Country Club on Monday, August 9, 2010 at the Academy of Medicine Education Foundation's (AMEF) seventh annual Marissa Rose Biddlestone Memorial golf outing. Foursomes competed in a shotgun start tournament that raised more than \$40,000 for AMEF. The funds will be utilized for medical student scholarships, annual CME seminars and the *Healthlines* radio program. The 2010 AMEF scholarship recipients were invited to join the group for dinner.

## 1st Place Team

Sagemark Consulting:

Jim Doan, Bill Hogsett, Jim Hrivnak, Phil Moshier

## 2nd Place Team

The Endoscopy Center at Bainbridge:

Bruce Cameron, MD, Kevin Geraci, MD, Mike Koehler, MD, Greg Lincoln

## 3rd Place Team

Medical Mutual:

Richard Below, MD, Chris Harris, Paul Mancino, Ken Sauer

Prizes were also awarded for the following:

## Closest to the pin

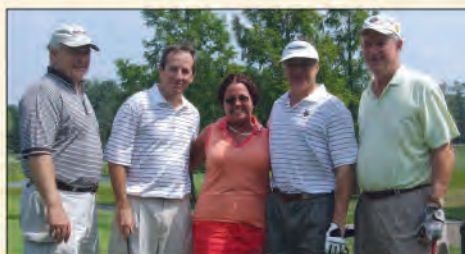
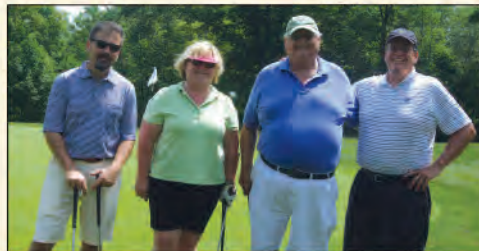
Tom Maloney, Tom Turner, Joe Orosz, and John Bastulli Jr.

## Longest Drive

Dan McLaughlin, Bill Lynch

## Longest Putt Holed

Mark Fusco



## AMEF Golf Committee

John Bastulli, MD

Victor Bello, MD

Kevin Geraci, MD

Michael Koehler, MD

Matthew Levy, MD

Phil Moshier

William Seitz, Jr., MD



A special thank you goes to all the event, hole and hole-in-one sponsors who helped make the day successful.

## 2010 Hole-In-One Sponsors

Victor M. Bello, MD

Classic Mini of Mentor

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UnitedHealthcare of Northern Ohio

Get your clubs ready for next year's event on **August 8, 2011 at Canterbury Golf Club.**

# AMEF Contributors (formerly known as CCMF)

A special thank you to our contributors from 1990 to present

## \$15,000 and more

Cleveland Anesthesia Group  
Medical Mutual of Ohio

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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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Victor M. Bello, MD, Vice-President  
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.