

# MAD NEWS

The Newsletter of the  
Massachusetts Academy of Dermatology  
VOLUME 7 ISSUE 15 WINTER 2009

## President's Message

By Kathryn Bowers M.D.

We are looking forward to our Spring Meeting which will be held on Wednesday, March 25<sup>th</sup> at the Massachusetts Medical Society's Conference Center. In addition to a two hour coding update, something we have not done in a few years, we have four hours of topics to your daily practice.

The meeting details are included in this Newsletter along with a registration form, so please clear your calendar and plan to attend. In addition to the CME portion of the program, the meeting also provides an opportunity to visit with colleagues something we seldom have time do these busy days.

The upcoming Legislative session has two bills of significance to dermatologists. The tanning bed regulation sponsored on our behalf and the New England Melanoma Foundation, died at the end of last year's session when time expired before it could be called for a vote. It has been refilled for the new legislative session.

A second important initiative is a bill calling for tighter regulation of medi-spas and the oversight required. The initial bill was drafted by Dr. Jeffrey Dover. Because of the complexity of the issues, the Legislature formed a Medi-Spa Task Force of interested parties, held hearings and studied the issues involved. Late last year it reported its recommendations to the Legislature and their findings were fashioned into this bill.

Our associate director, Marty Cohn, has more details on these bills elsewhere in the Newsletter. We will follow their progress closely and may well reach a point where we ask the membership to contact legislators to support one or both of them.

At the Annual Meeting we created a Nominating Committee responsible for preparing a slate of directors and officers for consideration at the next meeting. Dr. Steven Smith is the Chair of that Committee. We are in need of two or three people to join the Board. The time commitment involves attending six or seven meetings a year at dinner meetings at a Boston area restaurant. If you are

interested in being considered please contact Dr. Smith at 781-235-8855.

I want to remind everyone that our Annual Meeting is scheduled for September 11<sup>th</sup> thru the 13<sup>th</sup> at the Marriott Hotel in Newport R. I. Please clear your schedule and plan to attend.

Finally, you should have received your 2009 dues notice last month. If you have not yet responded I urge you to do so. We rely on dues support to provide the major portion of our budget that enables us to employ staff and conduct other programs. If you did not receive the notice please contact the MAD office. If you know someone who is not a member please encourage them to join our organization.

## Annual State House Skin Screening to be Held April 1<sup>st</sup>

The Fifth Annual State House screening program co-sponsored by MAD and the Melanoma Foundation of New England will be held on Wednesday, April 1<sup>st</sup> from 10 am until 3:00 pm. We are in need of dermatologists who can devote one or two hours to assist in screening State House employees during the day.

The program is open to all elected officials and their staff employees who sign up for a screening. In the previous four years we have screened about 400 people with about two dozen advised to see a dermatologist for further evaluation. The program allows us to increase awareness of the need for routine screening for melanoma, discuss other dermatological issues with elected officials and generate goodwill for the two organizations.

Dr. Karen Rothman who serves on the MAD Board of Directors and the New England Melanoma Physician Advisory Board is the spearhead behind the program. Anyone willing and able to participate should contact Dr. Rothman at [kr Rothman@charter.net](mailto:kr Rothman@charter.net).

## MAD Legislative Report

The 2009-2010 legislative session has begun. Unfortunately, between the departure of the Speaker and the subsequent election of a new speaker, things are off to a slow start. As of this writing, committee chairs, as well as committees, have not been assigned.

We are following three bills right now. The first is the refile of Senator Timilty's proposal to further regulate sun tanning salons (SD1161). The second is Senator Menard's legislation relative to medispas (SD938). And, the third is Senator Walsh's refile of an act to providing health insurance coverage for scalp hair prosthesis (SD421).

With regard to SD1161, we have gotten out ahead of the legislation. We have made visits to key legislators with representatives of the Melanoma Foundation of New England to solicit sponsorship of our bill and have identified state representatives who have expressed their willingness to champion the bill in the House.

Sadly, we are noting the passing of Glenna Kohl, a beautiful 26 year old who succumbed to melanoma. Glenna was one of the folks who testified in 2007. A copy of our handout can be found on the MAD Web page.

The Medi-Spa Task Force finally issued its report in January. Senator Menard looked at the suggested model legislation and modified it before filing. We expressed our reservations about the legislation and she is more than willing to sit down with dermatologists to craft a bill that insures patient safety. Again, check out the MAD Web site to read the Task Force report and the proposed bill.

Senator Walsh has filed legislation for the past two sessions that would get insurance companies in Massachusetts to pay for wigs for victims of alopecia areata. A recent Boston Globe article spotlighted this bill and we will work with the Senator as well as the Boston Area Alopecia Areata Support Group to urge passage.

## Favorable Ruling in BOTOX Sales Tax Case

Dermatology Associates of Concord received a ruling in its favor from the Massachusetts Department of Revenue, that BOTOX (cosmetic or non-cosmetic) is **not** subject to the state sales and use tax. The ruling states in part..."BOTOX Cosmetic, despite its name, is therefore a medicine within the meaning of the statute. Under the law, the name given a product is not controlling. Nor is the fact that BOTOX Cosmetic may be used for other, merely cosmetic, purposes ("off-label") of any importance here. The statute is product, rather than use-based. A plain reading of the statute indicates that, if the item in question is a medicine prescribed by a registered physician, it is exempt from taxation."

## Participating in Medicare's Physician Quality Reporting Initiative in 2009

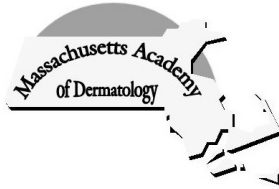
The Centers for Medicare and Medicaid Services (CMS) announced the 2009 Physician Quality Reporting Initiative (PQRI) measures for voluntary reporting beginning January 1 through December 31, 2009. Three melanoma measures related to treating and managing melanoma patients are included in the 2009 bonus program. Physicians and other eligible professionals who satisfactorily report data on quality measures for covered professional services furnished in 2009 will receive an incentive payment of up to 2 percent of the total estimated allowed charges for all Medicare services furnished during the reporting period. For more information, check the AAD's website: [www.aad.org/pm/hit/eprescribing/index.html](http://www.aad.org/pm/hit/eprescribing/index.html).

A PowerPoint presentation with voice over by Dr. Dirk Elston, MD, co-chair of the AMA Physician Consortium for Performance Improvement Melanoma Work Group, a sample Excel recall system, recent *Dermatology World* articles on this topic, and a model letter that can be used to transmit a treatment plan to the primary care physician, are all available at [www.aad.org/pm/billing/PQRI/index.html](http://www.aad.org/pm/billing/PQRI/index.html).

The CMS Web site [www.cms.hhs.gov/PQRI](http://www.cms.hhs.gov/PQRI) under "Measures/Codes" also has helpful information. For further information contact: Peggy Eiden at [peiden@aad.org](mailto:peiden@aad.org) or (847) 240-1799.

Visit our Web site for more information you can use!

[www.massacademyofdermatology.org](http://www.massacademyofdermatology.org)



**2009 Annual Spring *Business Meeting*  
Wednesday, March 25<sup>TH</sup>  
9:00 AM – 4:30 PM  
Massachusetts Medical Society  
Conference Center  
Waltham, Massachusetts**

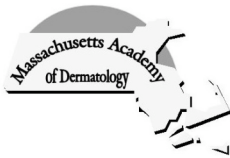
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|------------------------|---|
| <b>9:00 am</b>         | <b>Registration</b>   |
| <b>9:30 - 9:35 am</b>  | <b>Opening Remarks – Kathryn Bowers, MD, President</b>  |
| <b>9:35 - 10:00 am</b> | <b>Update on Malpractice Experience<br/>– Maureen Mondor, Vice President, ProMutual Group</b>                   |
| <b>10:00 - noon</b>    | <b>Update on Coding<br/>– Vernell St. John, American Academy of Dermatology</b>                                 |
| <b>Noon - 1:15 pm</b>  | <b>Lunch and Business Meeting</b>   |
| <b>1:15 - 2:00 pm</b>  | <b>The Apology<br/>– Maureen Mondor, Vice President, ProMutual Group</b>  |
| <b>2:00 - 2:45 pm</b>  | <b>The impaired physician or employee<br/>– Louis Sanchez MD, Massachusetts Medical Society</b>                 |
| <b>2:45 - 3:00 pm</b>  | <b>Break</b>  |
| <b>3:00 - 3:45 pm</b>  | <b>The expert witness<br/>– Brett Tingle, Esq., Morrison Mahoney LLC</b>  |
| <b>3:45 - 4:30 pm</b>  | <b>The Board of Registration and physician complaints<br/>– Russell Aims, Board of Registration in Medicine</b> |

***NOTE: We have applied to ProMutual Group for six CME Credits for this meeting.***

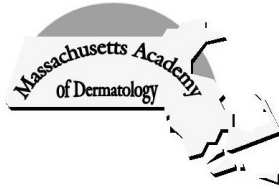
## WE WANT YOUR SUGGESTIONS

At our Spring and Annual Meetings we set aside time to discuss business and non-clinical issues relating to the practice environment and the organization and operation of the Massachusetts Academy of Dermatology. In an effort to make these discussions topical and reflective of what is of current interest we are soliciting input from the membership.

Please let us know your general concerns about the current and future practice of dermatology, office issues, or other thoughts on topics you would like us to bring up. You may send your suggestions to Paul Wetzel at [wetzelpaul@msn.com](mailto:wetzelpaul@msn.com).



**Mass Academy of Dermatology**  
**167 Washington Street**  
**Norwell, MA 02061**  
**781.982.8899**



**Massachusetts Academy of Dermatology  
2009 Spring Business Meeting — March 25, 2009  
Massachusetts Medical Center Conference Center  
860 Winter Street, Waltham, MA 02451**

**Registration — 9:00 am  
Program — 9:30 am**

**Name:** \_\_\_\_\_

**Office or Hospital:** \_\_\_\_\_

**Street:** \_\_\_\_\_

**City/State/Zip** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Tel:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**Check for \$50 mail to:**

**Mass Academy of Dermatology  
167 Washington Street  
Norwell, MA 02061**

**Questions? Call 781.982.8899**