

Dear all:

Happy New Year.

Please allow this to be an update of MAG activities over the last few weeks. As always, my previous updates can be found at [www.mag.org/executivedirector](http://www.mag.org/executivedirector).

### **Tort Reform**

The Georgia Supreme Court has granted cert in the *Atlanta Women's Specialists, LLC v. Trabue*, that resulted in a jury award of nearly \$46 million in damages. This is a major case that demonstrates the ever increasing jury awards and why the General Assembly needs to address tort reform. MAG will be filing an amicus brief to support the physicians and MagMutual. More information can be found at [https://www.mag.org/georgia/Public/News/News\\_Articles/Georgia\\_Supreme\\_Court\\_to\\_consider\\_key\\_med-mal\\_case.aspx](https://www.mag.org/georgia/Public/News/News_Articles/Georgia_Supreme_Court_to_consider_key_med-mal_case.aspx). Please note the Georgia State Senate had a study committee that looked at this issue over the last few months and produced recommendations that MAG is supporting in the 2020 General Assembly. MAG President, Andrew Reisman, MD, served on that committee.

### **Physicians Running For Office**

We are proud to announce that Michelle Au, MD, MAG member and GPLA, is running for the State Senate District 48. Dr. Au will be speaking at the MAG Board of Directors' meeting at the end of the month

- [https://www.mag.org/georgia/Public/News/News\\_Articles/MAG\\_member\\_running\\_for\\_Georgia\\_Senate\\_seat.aspx](https://www.mag.org/georgia/Public/News/News_Articles/MAG_member_running_for_Georgia_Senate_seat.aspx).

### **Commissioner of Insurance**

We have had multiple meetings with the Commissioner of Insurance over the last few months. We just met with the Commissioner of Insurance to discuss the recent behavior of United Healthcare canceling their contracts with physicians (anesthesia, emergency medicine). This behavior is very concerning as this will lower the median contracted rate that the insurers are proposing in the state and federal legislation that addresses surprise bills. We are urging the Commissioner of Insurance to address this issue and other insurance company behaviors. Please note the Commissioner of Insurance, John King, spoke on a panel at the AMA State Advocacy Summit. MAG was well represented at the conference with Patrice Harris, MD (AMA President), Sandra Fryhofer, MD (AMA Board of Trustees), Andrew Reisman, MD (MAG President) and Scott Bohlke, MD (MAG Chairman on the Council on Legislation).

### **Walmart**

Please see the latest news where Walmart has agreed to delay electronic prescribing for controlled substances. Big thanks to the AMA for their work on this important issue

- [https://www.mag.org/georgia/Public/News/News\\_Articles/AMA\\_MAG\\_others\\_convince\\_Walmart\\_to\\_delay\\_EPSC\\_policy\\_.aspx](https://www.mag.org/georgia/Public/News/News_Articles/AMA_MAG_others_convince_Walmart_to_delay_EPSC_policy_.aspx).

### **Walmart (Part 2)**

On another note, MAG member, Barry Straus, MD, JD, and MAG Legal Counsel Bethany Sherrer met with Walmart representatives, Chairman Sharon Cooper, representatives of the Georgia Board of Pharmacy, and a representative from the Georgia Dental Association on Monday. The purpose of the meeting was to discuss recent letters sent from Walmart's corporate office to Georgia physicians stating that Walmart and Sam's Club pharmacies will no longer be filling any of their Controlled Substance Schedule II-V prescriptions. MAG explained

the serious impact this has on patient access, especially in rural areas, and expressed concern over the corporate intrusion into the practice of medicine. Walmart could not provide an algorithm or any specifics as to how determinations are made as to which physicians receive such letters, but rather stated that the decision is both “quantitative and qualitative.” MAG is working with Chairman Cooper on possible legislative solutions and will work with both the Board of Pharmacy and the Composite State Medical Board on resolving this issue. If you have any questions, please contact Bethany Sherrer at [bsherrer@mag.org](mailto:bsherrer@mag.org). A special thanks for the support AMA has provided on the issue.

### **MCG Honors**

Medical College of Georgia at Augusta University recently honored MAG members Scott Bohlke, MD with the Community Service Award and Neal Weintraub, MD with the Professionalism Award. This is a great honor. More information can be found at [https://www.mag.org/georgia/Public/News/News\\_Articles/MCG\\_honors\\_MAG\\_members\\_Drs.\\_Scott\\_Bohlke\\_Neal\\_Weintraub.aspx](https://www.mag.org/georgia/Public/News/News_Articles/MCG_honors_MAG_members_Drs._Scott_Bohlke_Neal_Weintraub.aspx).

### **Stark/Anti-Kickback**

Please see the latest comments MAG (and PAI) filed with CMS  
- [https://www.mag.org/georgia/Public/News/News\\_Articles/PAI\\_submits\\_comments\\_on\\_AKS\\_Stark\\_proposed\\_rule.aspx](https://www.mag.org/georgia/Public/News/News_Articles/PAI_submits_comments_on_AKS_Stark_proposed_rule.aspx).

If you should have any questions, please do not hesitate to call.

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