

## EMS COLUMN

Howard Michaels, MD

...yes it finally happened; terrorism on US soil in a big way. Others have eloquently expressed our shared emotions. Sorrow, insecurity, hate, disbelief and the like have been dredged up in a search for comfort and security that will only come with time and personal involvement. I will keep my own counsel, but work for all our safety.

This wake-up call alerts the EMS community to its lack of preparation. It alerts the Hospitals to their generalized nationwide lack of involvement. It shows how little we can do for some things and how much we can do for others. The need for training and exercises is there; the need for good communication is urgent; the need for training is infinite.

For EMS, we are the first and last bastion. Whatever we can do will determine to some small extent the overall outcome. (At last real-time outcome research). Prepare, read, educate. The amount of information is unfortunately infinite and as always of mixed quality. The current best sources are the US Army pocket manuals on Chemical and Biological dangers and Jane's Bio-Chem Handbook. Equip your Pre-Hospital care workers with these. Read them and familiarize yourself so you can be the local source of information. Schedule and conduct exercises, embarrass the Corporate Hospital structure into acknowledging the need for decon, education and treatment protocols before the victims present themselves to the ER back door.

Your other sources are the Department of Justice through the FBI, FEMA who now runs the Weapons of Mass Destruction program for the Nation, and the Army for the taped lectures available for all levels from Hospital Maintenance workers to EMTs, Paramedics, Nurses and Physicians. These courses run from three hours to two or three days and are packed, (some would say over packed), with info. You may need to review and cull out what you need to present.

I have developed a first responder kit consisting of available antidotes, antibiotics, etc. to provide what we hope are life saving materials for our first responders, (Fire, Police, Ambulance Transport). The contents and shopping list are available at [howard.michaels@ci.sj.ca.us](mailto:howard.michaels@ci.sj.ca.us). We equip each engine and truck with one kit. Will it help? Is it appropriate? Is it the right use of funds? I don't know-but it helps us feel better.

## ANTHRAX INFORMATION

The current outbreak of anthrax cases in the U.S. should motivate all EM physicians to become familiar with the symptoms, pathophysiology, diagnostic tests and treatment of anthrax. Rather than write "another" review article, we would like to refer the reader to two websites with extensive discussions of the subject: [www.cdc.gov](http://www.cdc.gov) (see MMWR Vol 50, #s 41, 42, and 43), and [www.emedicine.com](http://www.emedicine.com).

The Editors

## Legislative Update

### CaJEM Legislative Update

From our CAL/AAEM official representative on the Cal/ACEP Governmental Affairs Committee

A. Antoine Kazzi, MD, FAAEM, FACEP  
Paul Windham, MD, FAAEM

### II. Legislative Update:

For a second year, CAL/AAEM continued its legislative activity through its official invited participation on the CAL/ACEP Governmental Affairs committee (GAC). The CAL/AAEM legislative affairs committee chair, Paul Windham, MD, FAAEM, continues his scheduled periodic representation and his detailed reports on the state-wide activity. The most important update we need to report is the regrettable veto of the CMA-CAL/ACEP-sponsored SB-117 by Governor Gray Davis. Sponsored by State Senator Speier, SB-117 would have allowed direct billing of HMOs by EPs when medical groups refused or failed to pay claims. This piece of legislation would allow the Department of Managed Health Care (DMHC) to require a health plan to assume payment responsibilities if their subcontractors fail to make payments as required by existing law. The bill had passed both the Assembly and the Senate by large margins. Despite the bipartisan support for this bill, the Governor vetoed it and justified his decision by stating he wished not to interfere with contractual relationships between HMOs and subcontracting medical groups and IPAs. He wished to leave it up to his DMHC to require and monitor payment of EP claims by HMOs and medical groups. DMHC had made it clear that they were not interested in auditing subcontractor payments and that they were not supportive of SB-117. The responsiveness of the Department has been traditionally subject to criticism, in particular due to the well-documented traditional financial debacles, delays and shortcomings of IPAs and medical groups.

In addition, the Governor also vetoed AB-900, sponsored by Assembly member Lou Papan. The measure would have required any county that establishes an EMS fund — which is legally designated to reimburse providers who provide emergency services to those who do not pay — to "notify physicians of the availability of the fund" and how they can "submit a claim against the fund" (AB-900 text).

CAL/AAEM, CAL/ACEP and the CMA are very disappointed and will continue to pursue regulatory measures to secure proper HMO and county managers' accountability.

Earlier in the summer, another disappointment occurred. SB-254 (sponsored by Senator Joe Dunn) was placed on hold during the legislative committee process. Sponsored by the CMA and CAL/ACEP, the bill would have officially designated Emergency Services an "essential public service" which would have secured legislative and fiscal guarantees similar to the ones that the Fire Department and the Police have. Legislators deliberating the bill at the committee level were concerned that this would carry a financial burden (300 million \$/year) that the State of California could not afford at this point. The committee was dealing at the time with the "power outage" crisis and the looming recession and budget deficit that were being predicted at the time.

CAL/AAEM and CAL/ACEP are pleased to report on the other hand, that the Governor renewed for the 2<sup>nd</sup> year in a row his allocation of \$24.8 million in Proposition 99 funds to reimburse EPs for non-paying patients. This was in addition to the 40% increase in Medi-Cal reimbursement to EPs that he approved two years ago. CAL/AAEM wishes to reaffirm its commitment, deep appreciation and call to all California EPs in general and to our members in particular to participate through letter writing and the Key Contact Legislative California network. Dr. Windham continues to run this network and can be reached via email at [pcwindham@elite.net](mailto:pcwindham@elite.net)

CMA-sponsored AB-1600 would level the playing field for physicians negotiating with managed care organizations. The insurance lobby fiercely opposed this bill, and the outcome will be postponed until January 2002. Expect another major fight next year.

SB-1027 prohibiting mandatory overtime for nurses and other professionals passed both houses of the legislature, but does not have the Governor's support. This bill was placed in the inactive file and will be taken up next year.

SB-842 and AB-577 were both seismic relief bills. They would have extended the deadline for our hospitals to comply with the new standards for earthquake safety. They are also being carried over to next year, will then be combined into one bill, and may have an associated bond measure for funding.

CAL/ACEP continues to sponsor or support eight gun control bills, ranging from a doubling of registration fees for firearms dealers to a prohibition on licensed firearms dealers selling firearms in their homes. A sponsored bill which would have required loaded chamber indicators on pistols was dealt away to get the Governor's signature on a bill requiring purchasers of handguns to first demonstrate their ability to an instructor at a firing range. For further information on CAL/ACEP's extensive gun control agenda, please contact Dr. Bill Durston at [calaem@aaem.org](mailto:calaem@aaem.org). CAL/AAEM will forward your messages to him.

### **CAL/AAEM Scientific Assembly Update**

A. Antoine Kazzi, MD, FAAEM, FACEP  
CAL/AAEM President and AAEM Board of Directors

**For the second year in a row, CAL/AAEM, CAL/ACEP and AAEM renewed their landmark decision in the domain of education.** Adding to our momentum to maintain and promote EM unity whenever possible, national AAEM, CAL/AAEM and CAL/ACEP renewed the 2001 educational arrangements that benefit all their members. With an overwhelming majority, CAL/AAEM and CAL/ACEP voted to join together in inviting all AAEM members (nationally) to attend the June 2002 CAL/ACEP 4-day Annual Scientific Assembly for a nominal fee of \$150 (in lieu of the standard \$300). For AAEM members who maintain an ACEP membership, the fee is further reduced to \$100.

In return, AAEM and CAL/AAEM are inviting all CAL/ACEP members to the 4-day March 14<sup>th</sup>-17<sup>th</sup> 2002 AAEM Scientific Assembly for the same discounted \$150 rate. Certainly, EPs with AAEM-CAL/ACEP dual memberships retain their baseline free registration with their own organizations. Non-members would ordinarily be charged \$300 for the CAL/ACEP Assembly, and \$375 for the AAEM Scientific Assembly. **This year, the AAEM Scientific Assembly will be held at the Hyatt Regency Hotel in San Francisco, California,** and will include among its speakers at least eight of the CAL/ACEP and CAL/AAEM leadership. CAL/ACEP members who wish to take advantage of this additional CAL/ACEP benefit can register as CAL/ACEP members online at [www.aaem.org](http://www.aaem.org) or by calling Ms. Beth Wilson at 877-4CA-AAEM.

Note that last year AAEM also invited all CAL/ACEP members to its September 2001, EuSEM-AAEM First Mediterranean EM Congress in Stresa, Italy, for the same discounted registration (\$250) fee required from AAEM members. Over 25 CAL/ACEP members took advantage of this offer.

In addition, and for the second year in a row, CAL/AAEM and CAL/ACEP will hold together the "California Business Forum." This will be held during the CAL/ACEP Scientific Assembly June 13<sup>th</sup>, 2002. A CAL/AAEM Board of Directors meeting will again be held following the forum and will be open as usual to all members and interested EPs. As we last reported, the 2001 forum in Santa Clara was organized and moderated by the CAL/AAEM President and included many EM leaders from CAL/AAEM, AAEM and CAL/ACEP. It addressed controversial practice issues and was met with the greatest feedback by members of all EM organizations.

**The CAL/ACEP Scientific Assembly will be held on June 13<sup>th</sup>-15<sup>th</sup>, 2002, at the Westin Hotel in Long Beach.** AAEM members who wish to take advantage of the discounted rates or of the fee courses should register with Mr. Ray Williams by calling (800) 735-2237 or emailing him at [calacep@worldnet.att.net](mailto:calacep@worldnet.att.net)

Such a strategy is a win-win for all our members, providing them with additional benefits and educational opportunities of the highest quality. Join us in all these annual events and let us celebrate - **united when we can** - our specialty.