

Philadelphia Medicine



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PCMS Board member Dr. James Tayoun to run in primary for PA senate



Dr. James J. Tayoun, 39-year-old chairman of the Department of Surgery at St. Agnes Medical Center, has announced his entry into Philadelphia's First Senatorial Division

primary election.

The PCMS has endorsed Dr. Tayoun, and PAMPAC is supporting him.

PM: Why are you running for the Pennsylvania Senate?

JT: We doctors have to learn from the trial lawyers; how they operate and manipulate. Physicians traditionally have watched the game from the stands; they need to get onto the playing field.

PM: How so?

JT: Well, 50% of PA senators are lawyers; there are no physicians in the state Senate. If we put one there, we're in the game, on the field. If we win against a powerful, entrenched Senator Vince Fumo, we send a strong message that physicians have someone looking after their interests.

PM: Lawyers gain stature by going into politics; physicians can run the risk of losing patients and falling behind the CME curve. How can you practice medicine and have a political career?

JT: Easy. I ask my patients to tell me about their gall bladder—and then about their neighborhood and community concerns. Even so, I'm not doing this just for me. There are sacrifices—State Senators make \$65,000 a year. I'm doing it for Pennsylvania's medical profession as a whole.

PM: Is Senator Fumo beatable?

JT: He's powerful, wealthy. But he's made enemies. People in Philly like to see their elected officials. Fumo has houses in Florida and Martha's Vineyard ... a private jet. And some of his business dealings have brought him some negative press recently.

PM: What strengths do you bring to the election?

JT: Commitment. I founded the 5,000-member Politically Active Physicians Association organization, which is a rallying point for the State's physicians. And name recognition: My father, Jim Tayoun, has been a councilman and ward leader for more than 20 years. And the newspaper he publishes—*The Public Record*—supports me!

PM: In the roughly three weeks between now and the election, what can your fellow physicians do to help you?

JT: They can put our literature in their offices; make those offices into mini political sites; close their offices on election day ... and come to the polling stations with their staff; call the Tayoun for Senate office; check the web sites: www.electtayoun.com or www.fightingdocs.com; talk to every patient who walks into your office; send money.

PM: If you get elected, what would be your first move?

JT: To learn. And then to fight for caps.

This interview with Philadelphia Medicine publisher David Woods took place in Dr. Tayoun's office.

PCMS News

PCMS Board of Directors invites you to the President's Ball & Awards Night Annual Meeting

Enrique Hernandez, MD, will be installed as the Society's 143rd President

Thursday, June 17, 2004

Philadelphia Marriott West
Conshohocken, PA

Reception: 6:30 PM
Program, Dinner
& Dancing: 7:30 PM

Guests Invited

Black Tie Preferred

Cost: \$90 per person
Residents and students: \$50

Save The Date—For the Great Skate

The PCMS Annual Friends & Family Night at the Philadelphia Skating Club, Ardmore, PA. Saturday, April 17, 2004, 7:30 - 10:00 PM.

Sponsored by the PCMS Membership Committee. RSVP: 215-563-5343, Ext.113. This is a member benefit.

Medicare 101

The PCMS Membership Committee will host a Medicare 101 Class for Physicians, Practice Administrators and Staff conducted by HGS administrators on Thursday, April 15, 2004, 8:30 - 11:00 AM at PCMS headquarters. RSVP: 215-563-5343, Ext. 113. This is a member benefit.

Change of address?

Phone 215-563-5343, Ext. 102 with any change of address, phone, fax number or e-mail address.

Host your event at PCMS!

Host your next party or conference/seminar at PCMS headquarters. Ample free parking.

Contact Louise Eder on 215-563-5343, Ext. 107 to schedule an appointment.

Philadelphia Medicine



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Editorial

It's vital for physicians to vote in upcoming primary elections

By Sheila Moriber Katz, MD, MBA



Primary Elections are scheduled in Pennsylvania for Tuesday, April 27, 2004. All physicians should vote. They should persuade their families, friends and patients to vote.

Although there is no real contest in the US presidential primaries, other races are important, especially to physicians.

In Philadelphia Dr. **James J.**

Tayoun, a member of the Philadelphia County Medical Society Board of Directors, is running against State Senator Vincent Fumo in the Democratic primary. The PCMS has endorsed Dr. Tayoun, and PAMPAC is supporting him. Dr. Tayoun is well-known and respected for his career as a surgeon at St. Agnes Medical Center and as founder and president of the Politically Active Physicians Association (PAPA).

Senator Fumo is opposed to caps on noneconomic damages in medical malpractice awards, the number one priority of organized medicine. The Pennsylvania House of Representatives has already passed a bill to allow the citizens of Pennsylvania to vote on a constitutional amendment to allow caps (not the amount of the caps on all liability awards—only the principle of the caps). The Senate passed a bill but only for medical malpractice award caps. Regretfully, Senator Fumo voted against the bill and has been an influential voice opposing such action. Dr. Tayoun would not only vote for caps but would be an effective voice in persuading others.

Mr. **Andrew Hohns** is challenging incumbent State Representative Babbette Josephs in the Democratic primary for the seat in the 182nd District. Organized medicine seems united in its support for Mr. Hohns. Although he is not as ardent an advocate for tort reform and other issues as we would like, we perceive him to be considerably more physician

friendly than Ms. Josephs.

Dr. **Melissa Brown** and State Representative **Ellen Bard** are engaged in a contest in the Republican primary for the seat to be vacated by US Representative Joseph Hoefel. Both are worthy and viable candidates. Either one will likely be our choice against the Democratic opponent in November. Physician organizations and medical staffs are split in their endorsements of these two candidates. Leaders and members of the Philadelphia County Medical Society are divided. Nevertheless, it is important that you educate yourself regarding them and vote

You should study, discuss, listen to recommendations, make your own decision and finally vote on Tuesday, April 27, 2004.

now—and again in November.

Finally, there is the crucial choice in the Republican primary between incumbent US Senator **Arlen Specter** and US Congressman **Pat Toomey**. Again, organized medicine, medical staffs and individual physicians are sharply divided in their support. Senator Specter has been equivocal on caps for noneconomic damages, but he has offered important support to physicians on other issues, including medical research. His tenure spans 24 years and some observers view him as unbeatable. Again we urge you to educate yourself on these candidates and vote your conscience.

It is regretful that medical groups and political action committees are not able to analyze candidates and issues and come to common recommendations for physicians. That would be ideal, but it is not the real world. In the meantime you should study, discuss, listen to recommendations, make your own decision and finally vote on Tuesday, April 27, 2004. Meaningful tort reform can only be accomplished when we elect officials committed to it.

—Dr. Katz is president of PCMS.

Nine lawsuit abuse facts sent to PA senators and the press—you can use them, too

The Pennsylvania Medical Society sent the following nine lawsuit abuse facts to Pennsylvania State Senators and to journalists in Pennsylvania:

- **Lawsuit abuse Fact #1.** The U.S. tort system cost \$233 billion in 2002, a \$27.4 billion increase over 2001, representing the largest dollar increase in US history. Factors for the rise include asbestos claims, class action lawsuits, large claim awards, shareholder lawsuits, higher personal injury claim costs, and medical malpractice lawsuits. *Tillinghast-Towers Perrin, U.S. Tort Costs: 2003 Update.*
- **#2.** According to a 1995 statement by researchers at the Stanford University Graduate School of Business, healthcare liability reform has lowered healthcare costs with no significant impact on health outcomes in states that have limited noneconomic damage and punitive damage awards. *Health Care Liability Alliance.*
- **#3.** According to the Congressional Budget Office, medical malpractice reform will result in a savings of \$1.5 billion over ten years. The CBO reported its findings as part of its preliminary costs estimate of the Patient Protection Act of 1998. *Health Care Liability Alliance.*
- **#4.** Citing fear of liability, Abbott Laboratories withdrew its participation in a National Institute of Health (NIH) clinical trial that would have tested a vaccine to prevent pregnant HIV positive women from passing the virus to their unborn children. *Health Care Liability Alliance.*
Liability concerns have kept beneficial products for use during pregnancy off the market. The Committee on Commerce, Science, and Transportation. Product Liability Reform Act of 1997. Report 105-32, pg. 7, June 19, 1997.
According to *Science* magazine, liability concerns led to at least two companies delaying research on an AIDS vaccine while another com-

pany abandoned a promising approach altogether. *Science.* "Is Liability Slowing AIDS Vaccines?" April 10, 1992, pp 168-169.

- **#5.** Pennsylvania is having difficulty recruiting young physicians to practice in the Keystone State. The percentage of physicians under age 35 has decreased from 12.4% in 1989 to 4.7% in 2000. In 1989, Pennsylvania was ranked 12th in the country for percentage of physicians under 35. By 2000, Pennsylvania's ranking dropped to 41st. Some areas of the state have under 35 percentages as low as 2%. *National Center for Health Workforce Analysis, Area Resource File.*
- **#6.** Biomaterial suppliers have become reluctant to provide their products to medical device manufacturers due to low returns and high risks. One supplier spent \$8 million annually to defend cases involving temporomandibular (jaw) joint (TMJ) implants, even though that supplier had no role in the design, manufacture, or sale of the device. *The Committee on Commerce, Science, and Transportation. Product Liability Reform Act of 1997. Report 105-32, pg 13, June 19, 1997.*
- **#7.** When states pass tort reform, productivity and employment increase. These increases range from 7 to 8% for productivity, to 11 and 12% for employment. If a state enacted more than one reform, increases ranged from 10 to 20% for productivity and employment. *Campbell, Thomas J. The Causes and Effects of Liability Reform: Some Empirical Evidence. National Bureau of Economic Research, Inc., Working Paper #4989, 1995.*
- **#8.** According to an Economic Impact Study conducted by The Institute for Policy Research and Evaluation of the Pennsylvania State University, the costs of the tort system in Pennsylvania were \$7.2 bil-

lion in 1996. *Projected Economic Impact of Lawsuit Abuse Reform on the Pennsylvania Economy, Pennsylvania Civil Justice Coalition, January 1999.*

- **Lawsuit Abuse Fact #9.** In 2000, Pennsylvania's medical liability awards and settlements against physicians totaled more than \$336 million—nearly 10% of the national total despite having less than 5% of the nation's population. From 1991 to 2001, Pennsylvania's aggregate physician medical liability claim payments increased from \$167 million to \$404 million for a 142% increase. *Analysis of data from the National Practitioner Databank.*

Physician volunteers needed for national eye injury survey

The American Academy of Ophthalmology invites all practicing ophthalmologists, as well as emergency, pediatric and family physicians who treat eye injuries, to participate in a one-day survey, the Eye Injury Snapshot Project. The Academy is conducting the survey on Monday, May 17, 2004.

Academy Secretary of Communications, Paul J. Sternberg, Jr., MD, said, "The Academy wants to conduct a survey to determine how many injuries are treated during a 24-hour period of time on any given day in this country."

The Academy plans to use the data obtained from the project to create public awareness of eye injuries and encourage eye health and safety. If successful, the survey could provide a basis for ongoing annual data-gathering and provide a vehicle to distinguish ophthalmologists as providers of medical eye care.

To participate in the project and receive more information, to be sent a reminder or to obtain a copy of the survey, visit the Academy's website at www.aao.org/snapshot. Surveys should be completed and returned by May 31.

pcms people

PCMS Practice Managers Group and the Southeastern Pennsylvania Chapter of the National Association Medical Staff Services held a business and educational meeting at PCMS on March 3. Guest speakers were **Donna Sherwin**, President of Physician Billing Solutions, Inc., and **Kathy Geyer**, Director, Client Development for USI Colburn Insurance Services in Philadelphia.



From left: Terry Holmes, Frontline Member from the office of Edward R. Jones, MD, Delaware Valley Nephrology Group; Donna Sherwin, President of PBSI; Barbara Foster, Frontline Member from Surgical Care Associates; Kathy Geyer, Director, Client Development, USI Colburn Insurance



From left: Harris Ahmad, Drexel medical student AMA/PMS/PCMS Association President; Sonul Mehta, Drexel Class of 2007 President; Stephen L. Schwartz, MD, PCMS First District Trustee and past President PCMS; Dawn Pinchasik, Drexel medical student class of 2007 President; Joyann Kroser, MD, PCMS Secretary; William Ding, Drexel medical student class of 2007 President.

Drexel University College of Medicine, AMA, PMS & PCMS Medical Student Chapter held a regional meeting at their campus on March 2. Guest speakers were **Stephen L. Schwartz**, MD, PCMS First District Trustee; and **Joyann Kroser**, MD, PCMS Secretary. The topic of medical liability and the current approaches to solve the problem on state and national levels were discussed.



Norman G. Rosenblum, MD, PhD, has been named director, Division of Gynecologic Oncology, in the Department of Obstetrics and Gynecology at Thomas

Jefferson University Hospital. He has also been appointed clinical assistant professor of Obstetrics and Gynecology at Jefferson Medical College.

Cesar A. Fabiani, MD, has been elected to the status of Distinguished Fellow of the American Psychiatric Association. He will receive his medalion at a ceremony to be held during the APA's annual meeting in New York City on May 3, 2004.

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