

MCMS NEWS www.mcmsdocs.org

Volume 29 Issue 3 Morris County Medical Society, Inc.

Summer, 2011

IN THIS ISSUE



PRESIDENT Guv A. Taylor, M.D.

MANAGING EDITOR Andrea Donelan

SOCIETY INAUGURATES 166TH PRESIDENT

Meeting and Inaugural Dinner. Dr. Guy was introduced and presented the 2011president. Guest speaker for the evening ballot. The Officers and Executive was Dr. Martin Zanna, Acting Director, Committee members were unanimously Department of Health & Senior Services, elected. Dr. Claps administered the oath Office of Planning and Development & of office to the Officers and Executive Acting Executive Governor's Council for Committee members present. Medical Research and Treatment of Treasurer, Dr. Anna H. VanderSchraaf Assembly DeCroce, Senators Anthony Bucco and budget. The 2012 budget was approved as Joe Pennacchio, Assemblymen Anthony presented. Bucco and Jay Webber, Robert J. Conroy, Esq., Michael J. Schoppmann Esq. and for the decreased members of the MCMS. Lawrence Downs, Executive Director of Steven I. Kern, Esq, General Counsel to the Medical Society of New Jersey. the MCMS was also remembered in a Several past presidents of the MCMS special way. were also in attendance. They included Drs. Fred M. Palace, William J. Dowling, were also in attendance. Drs. Kline and Jr., Leigh S. Ende, David L. Taylor, John Palace were 2011 recipients of the MSNJ S. Salaki, Dean A. Dent, Aaron H. Golden Merit Award. Chevinsky, Steven A. Maser, Joel M. attendance. Out-going president, Dr. presidential plaque. Richard J. Claps welcomed those in

Members of the Morris County attendance and conducted the business Medical Society met at The Birchwood meeting. Dr. Aaron H. Chevinsky, Manor for the 2011 Annual Business chairman of the Nominating Committee A. Taylor was sworn in as the 167th 2013 Nominating Committee report and The Autism. Other invited guests included was introduced and presented the Minority Leader Alex Treasurer's report and the proposed 2012

A moment of silence was observed

Drs. Richard Kline and Fred Palace

Dr. Claps presented Dr. Taylor with Gottlieb. Drs. Michael H. Bernstein, the presidential gavel and a bouquet of MSNJ AMA Delegate and Laurie Nahum, roses to Mrs. Angela Taylor. Dr. Taylor First District MSNJ Trustee were also in then presented Dr. Claps with the



Dr. Guy Taylor receives a standing ovation following his inspirational inaugural address.

The **MCMS NEWS** is published quarterly under the direction of the Executive Committee of the Morris County Medical Society.

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Meetings of the Executive Committee are held the first Monday of each month beginning at 8:00 p.m. at the Executive Office. The general membership is encouraged to attend.

EXECUTIVE DIRECTOR Andrea Donelan MEMBERSHIP SECRETARY Mary K. Carr ADMINISTRATIVE ASSISTANT Laurie A. Giordano

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Reprint requests should be addressed to the Managing Editor, "MCMS NEWS" and sent to the Society office.

OUT GOING PRESIDENT'S MESSAGE

This evening, we celebrate the inauguration of Dr. Guy Taylor as the 167th President of the Morris County Medical Society.

I welcome the members of the Morris County Medical Society, their guests, as well as our special guests: Senators Tony Bucco and Joe Pennacchio; Assemblymen Alex DeCroce, Anthony Bucco, Michael Carroll, and Jay Webber; Larry Downs Esq., recently appointed CEO of MSNJ; Dr. Martin Zanna, Department of Health and Senor Services; Michael Schoppmann and Bob Conroy, legal counsel for MCMS and partners of Kern, Augustine, Schoppmann and Conroy;

It was my honor to have served as President of the Morris County Medical Society for the past two years. I appreciate the support of my wife, Valerie, during my term, and acknowledge the dedication and advice of the members of the Executive board of MCMS. I am especially grateful to Andrea Donelan and her staff. Mary and Laurie, not only to insure the efficient daily function of our Society, but also to address the individual concerns of our members when needed.

The members of the MCMS are to be commended for their continued support which is especially important at this time. When the baton of leadership is passed, unlike a relay race, there is no end unless there is significant diminished membership and lack of younger physicians to continue our work. This applies at the County, State, and National levels. I urge you to encourage your colleagues, medical students, interns, residents and young physicians to become involved, for they represent our future.

It is with great pleasure the I present the presidential gavel to Dr. Guy Taylor, the 167th President of the MCMS.

Richard J. Claps, M.D. President, 2009-2011





Richard J.. Claps, M.D.

MCMS NEWS

"SKIN IN THE GAME"

the economic health of our state. We are Medicare ACO pilot program was finally had the opportunity to attend your Morris fortunate that New Jersey's Governor released in March. Some of you may have County Medical Society's dinner meeting Christ Christie is committed to getting our had the opportunity to attend the Morris last November where Richard Maglin, state's fiscal health in order and dealing County Medical Society's sponsored CPA, principal and senior partner of the with an inherited shortfall that was well lecture on ACOs given in April by attorney firm Maglin, Miskiv & Associates, gave an into the tens of billions. No quick fixes or Robert Conroy of the Healthcare Law firm insightful lecture entitled, "The fiscal shenanigans, just good old-fashioned Kern Augustine Conroy & Schoppmann. ObamaCare Reaction – Buy, Sell, Merge?" tough love with a healthy dose of Speaking as an expert, he laid out his In that lecture he chronicled the historical decreasing entitlements and paying for arguments why he believed that parts of cycles of fear-mongering and panic-selling things as you go rather than accruing the current legislation may be deemed of medical practices dating back to the unnecessary debt. These are the same unconstitutional and that specifically, creation of Medicare in 1965 and decisions that we make in our own ACOs seek to assign risks to physicians cautioned practicing physicians against the households and in our medical practices without any significant benefits. every day and it's refreshing to see such responsibility at the state level.

especially when we see special interests multispecialty groups. That demonstration that the momentum was seemingly lost.

our ranks. We must remain calm. At the started. 2011 Medical Society of New Jersey's Delegates Meeting the CEO of MSNJ, Medicare ACO pilot program will, at most, fully integrated group of obstetricians and Michael Kornett, said that a bend in the enroll less than 10% of the eligible gynecologists who merged under one tax road is not the end of the road unless you Medicare population, will maintain the fee I.D. number but maintain separate care fail to make the turn. I couldn't agree -for-service structure and will be centers. Serving hundreds of thousands of more. Let us all agree to make that turn completely voluntary for both patients and patients, Lifeline's organizational structure together, unified and with dignity!

The Accountable Care Organizations may be familiar with the old investment adage, established and blossoming horizontal relegated to the same status as previously "Buy when there's blood in the streets" alignments across the state In addition, failed capitation plans that had sought to Well it seems the same holds true for the they're examples of large 100% physician ration care. Indeed, "Change" is ever purchase of medical practices whenever a changing. This is especially true now that new acronym is coined in healthcare

and Was Health Care Reform Legislation commissioned an analysis of an ACO world examples to illustrate that in the ever really about making these same tough demonstration project which ran from long run physicians usually do not come choices? It's hard to believe that it was, 2005-2009, involving 10 large out ahead. Not even close. such as pharmaceuticals and the insurance helped reveal the problems of the ACO with skin in the game don't have to wait industries appear to get special model for physicians. For example, none for yet another pilot program that's been dispensation while we still haven't seen a of the non-academic hospital run ACOs rushed to market or sell away their permanent remedy for basics indignities earned a dime in shared savings. In fact, collective futures for cents on the dollar in like the SGR. At the end of the day it even using a far, far more generous shared order to feel secure about change. We can appeared to me like the patients and savings model than the best of what is take measures to bend the health care providers of health care where the ones left currently proposed only half of the spending curve now while still maintaining with burdens to bear, while some other enrolled physician groups received any the sanctity of the patient-physician stakeholders effectively got a pass. Despite significant shared savings at all. Of that relationship and maintaining controlling that, things were steamrolling ahead and half that got anything back, the most ownership of our practices. If you're anyone who questioned it? Vilified! But aggressively efficient group received an overwhelmed by the prospect of investing then a funny thing happened on the way to average pre-tax total amount of less than in things like electronic medical records or the courthouse, it's as if someone tripped \$14,000 per physician/per year in shared health information technology as a small over a copy of the Constitution and then savings incentive payments over the course group, then consider that many physician decided to pick it up and read it. And with of the four year demonstration. The same leaders advocate horizontal alignments that research group hired by CMS to analyze take advantage of economies of scale. There is no doubt that changes are this data concluded that some of those This has been done by physician groups needed and there is no doubt that changes savings might have occurred even in the such as Emergency Medical Associates are coming. However, physicians have absence the of ACO demonstration project headquartered in Livingston. EMA is a adapted to changes before and we'll adapt because of favorable cost savings privately held, physician owned again. We must not panic or succumb to strategies independently put in place by partnership that treats over 1 million fear-mongering from within or outside of those groups before the project even patients annually all around the state.

physicians there's still a palpable concern is 100% physician owned and governed. future market share of about all of the unknowns. You may be There are many more examples of

The future of medicine in NJ is tied to the proposed regulatory language for the reimbursement. Some of you may have panic-selling of their practices for cash, Interestingly, the Centers for Medicare promises of lucrative stock or elusive Medicaid Services, CMS, profit sharing schemes by providing real

> I believe that practicing NJ physicians There's also the Parsippany headquartered Even though the upcoming proposed Lifeline Medical Associates which is a

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ANNUAL INAUGURAL DINNER MEETING JUNE 3, 2011



Drs. Isaac Spiteri, Matthew Chow, Thomas McDonnell and Dale Cohen



Mrs. Alicia Stennett, Drs. Louise T. Barbieri and Richard A. Stennett



Senator Anthony Bucco, Andrea Donelan and Dr. Anna H. VanderSchraaf



Dr. Alan Crosta, Mr. John Pucci and Dr. Kasey Regan



Mrs. Amy Bucco and Assemblyman Anthony Bucco and Assemblyman Jay Webber



Dr. Fred M. Palace, Bonnie Coletti and Dr. Steven A. Maser

PRESIDENTIAL **INAUGURAL ADDRESS**

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owned multispecialty practices throughout the state that are thriving. These are just a few local examples of physician ownership and physician control on a larger scale that may allow more cost-efficient acquisition of tools like electronic medical records and heath information technology. Those tools may be desirable in generating the data that may be required to satisfy future requirements for pay for performance type initiatives like Physician Quality Reporting (PQRI). Of course, solo practitioners and small groups will likely remain the most common practice model in NJ, are possibly the preferred choice of many patients and certainly provide outstanding care. There are also instances where vertical alignments or integration with hospitals systems can be mutually beneficial. That said, 100% physician owned alignments may be an option worth considering for some groups that wish to benefit from economies of scale while still maintaining controlling ownership of their practices. I want to stress that the paradigms have shifted. Your fellow physicians' groups are no longer your competition. Your fellow physicians are not the ones eating your lunch. Your fellow physicians are not the ones moving your cheese. In the words of Benjamin Franklin at the signing of the Declaration of Independence in 1776, "We must hang together, or assuredly we shall all hang separately."

groups, primary care physicians and subspecialists share the same reality regarding non-physicians scope of practice Regardless of who pays your policy's actively recruiting new members every and any resultant potential patient safety issues. Non-physician health care providers are an integral, invaluable and irreplaceable part of the team, but for safety's sake the Morris County Medical Society and Medical Society of New Harvard Business Review, of the billions merely kick the can down the road. Jersey will continue to advocate that a prerequisite for practicing medicine in the state of New Jersey is actually graduating from medical/osteopathic school. Understand perspective, the alphabet soup of test, over-treat and over-refer patients. attempts to exploit our members and will credentials displayed by some nonphysician providers is often confusing. As of bending the health care cost curve. physician relationship that keeps our such, I urge you to display your credentials There can be no meaningful, credible patients safe! for your patients to see. In fact, the state discussion of health care reform without

requiring all health care professionals to malpractice litigation pays out and wear photo identification with their acknowledging that defensive medicine credentials and job title. entitled to be able to easily identify the the cost of providing medical care. It is physicians in the crowd.

When I first heard the term I thought that it year by Representative Phil Gingrey (Rreferred to the antics of third-party payers GA), a physician, at least being discussed who waste our office staff's time, on the national stage. Eventually, New fraudulently hold onto what we have Jersey must have meaningful tort reform in earned and abuse physicians on daily basis. order to maximally bend the health care I hope that some of you were able to attend cost curve. your Morris County Medical Society's sponsored talk last year entitled: "The respective subspecialty professional Government's New Role in Healthcare- societies is important, I would encourage Understanding RAC Audits, Fraud and every current member of the Morris Abuse Threats". This timely lecture was County Medical Society to recruit at least given by attorney Michael Schoppmann. one new member to our society over the As you know Recovery Audit Contractors next year. It is critical that nonare hired by CMS to identify alleged subspecialty state and county medical overpayment to providers and those hired societies continue to thrive and advocate contractors actually collect a contingency on issues related to patient care, patient fee based on what they recover. Of course safety and the rights of practicing we all want to stamp out true waste, true physicians. Always remember that when fraud and true abuse but simple coding lobbying for an issue that directly affects a disagreements should not result in particular subspecialty, your county and punitive, predatory charges of fraud. Be state societies may have far more aware that your county and state medical credibility at the state and judicial level societies have access to resources that can because their advocacy appears far less help your practice avoid the potentially self-serving. For example, while it may devastating impact of retrospective RAC compel some lawmakers to learn that a audits or audits by other third party payers. particular subspecialty society thinks that

physicians involved in clinical care incur affect that subspecialty are egregious, it liability in the course of helping heal our may compel even more lawmakers and patients. Every day we run the risk of judges to learn that most ALL NJ being held responsible for poor outcomes physicians think that what's proposed is even when we've adhered to the standards simply ridiculous or unsafe. All politics is Whether in solo, small or large of care and practiced evidence-based local and if you're in medicine then you're medicine. It's not simply about the in politics. Let us all take ownership of expense of one's malpractice policy, keeping our medical society strong by premium, it's still your reputation, your year. stress to bear, your name posted on the internet and your family life that is of practice concerns to tort reform and impacted by increasingly frivolous charity care, the members of the Morris litigation. Moreover, according to the County Medical Society are not content to of dollars that doctors and hospitals pay Whether you are a physician in private annually for malpractice insurance, less practice or a hospital employed physician, than 30% goes to patients or their families. we've got "skin in the game." Our patients Even worse, the threat of malpractice suits also have "skin in the game" and with the that, from a patient's creates incentives for physicians to over- help of MSNJ we will collectively resist Clearly this runs counter to our objective fight for the preservation of the patient-

of Pennsylvania recently passed a law changing the standards by which medical Patients are contributes billions of dollars annually to encouraging to see federal tort reform How about waste, fraud and abuse? legislation such as H.R. 5, introduced this

Finally, while membership in our How about liability? Every day certain proposed regulations that directly

And so, from patient safety and scope

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MCMS NEWS

PHYSICIANS, PRACTICES AND SOCIAL NETWORKS, **GAUGING THE RISKS**

embarking upon an entry into the world of before doing so, such as: social networks. While such environments may hold great reward for many ongoing time and capital to this activities of employees of the practice. businesses, they also hold many concerns environment? and risks unique to physicians and their medical practices.

A "Social Network" is defined by in response? dictionary.com as an online service, platform or site wherein "family, friends routinely updating the information posted? and their families, that together create an interconnected system through which noted factors, physicians and medical alliances are formed, help is obtained, practices would be better served to claims. Moreover, an increasing number of information is transmitted, and strings are withhold their entry in the realm of social work-place claims (i.e., harassment, pulled. In an organizational setting, it media until such time as they are prepared stalking, cyber-bullying, discrimination, usually constitutes the group of one's to provide a strong commitment to the hostile work environment, etc.) are peers, seniors, and subordinates who demands of social networking. Absent originating from social media (Facebook, provide information on how to get things such a commitment, a partial or half- etc) interactions between employees. To done, how the power structure operates, hearted effort will only leave the practice risk management such threats, every and who holds the strings"

The number of social networks adverse internet "standing". continues to grow exponentially every day afterthought or viewed as outdated the next structural responsibilities must moment. Examples of social networks are considered, such as:



illustrated in the chart below:

Association, a large number of medical physicians. trial.

Before any physician contemplates

As physicians react to the growing their entry into this new, ever evolving scrutiny over the ever changing/updating market pressures to grow and/or maintain environment, they should consider certain data. their patient populations, many are preemptive risk management factors

•

• Is the practice prepared to vigorously monitor the information posted

exposed to not only potential liabilities but medical practice should develop, adopt and

and a social network heavily favored one engage in social networking, a large degree crossover of their role (and moment may quickly find itself an of advance planning and the assigning of responsibilities) as employees and social

entered?

Who physically (and routinely) enters the data within the network (and directly by and law or regulation, any updates the data)?

and authorized by the physicians of the should be disquieting to physicians and practice?

within a social network itself, physicians carries an extremely onerous degree of Seemingly attractive, an increasing and practices must also be mindful of oversight and an increasingly powerful number of physicians interacting within standards and/or codes of conduct they are body of restrictions. As a result, the best social media are creating some notable, bound to abide by - not only those risk management tool for medicine may and dire, consequences. As exposed by the required by the social network itself, but well be to simply not enter the world of Journal of the American Medical also those required exclusively of social media until society sets the students have admitted to using the forums confidentiality under state and federal law inappropriately to discuss individual (HIPAA), conduct requirements under patients. Other recent incidents have state licensing requirements (boundary involved a physician's office staff posting violations), contractual terms under payor entries on Facebook and/or Twitter (both public and private) and the general complaining about "difficult" patients and obligations of law (i.e., prohibiting in one case, a Boston pediatrician who defamation, libel, etc.) all dictate that great The firm's practice is solely devoted to the representation of blogged throughout his malpractice care be taken, especially for physicians and medical practices, as to the actual content within a social network and vigilant

For even those practices which might decline to pursue efforts within social Is the practice prepared to devote media, caution should be held over the Use of personal e-mail accounts while working should be strictly curtailed due to the growing number of unintentional and intentional violations of patient-privacy Is the practice committee to laws. Moreover, many disgruntled former employees use social networking sites to Absent positive responses to the above disparage the practice and/or solicit present employees to join pending workplace issue a written set of detailed policies If the practice or physician decides to addressing these issues and prohibiting the be networking. Such policies should be reviewed directly with all practice staff, Who creates the data to be updated routinely and acknowledged in writing, by every member of the practice.

In conclusion, while not prohibited environment which holds unknown risks How often is the data reviewed and is ever changing at a breathless pace, medical practices alike. Unlike other forms Regarding the actual data posted of business, the practice of medicine Issues such as patient permissible boundaries to do so.

Michael J. Schoppmann, Esq. Kern Augustine Conroy & Schoppmann, P.C.

Kern Augustine Conroy & Schoppmann, P.C., Attorneys to Health Professionals, www.drlaw.com has offices in New Jersey, New York, Pennsylvania and Illinois. health care professionals. Mr. Schoppmann may be contacted at 1-800-445-0954 or via email - schoppmann@drlaw.com

ICD-CM-10 **IMPLEMENTATION: A RECIPE FOR** SUCCESS

Abraham Lincoln was quoted as saying "Determine that the thing can and shall be done, and then we shall pour once, so - review all the find the way." The "thing" (ICD10) is government requirements and soon to be a reality and the implementation date of October 1, 2013 is standing firm. Decide now to • make this challenge a pleasant it will cost to prepare your recipe. experience and form a team with a Don't forget software, hardware, and positive outlook. Remember the training. attitude we display will set the tone for • Determine how long it will take to those around us. The choice to be complete the recipe and establish a proactive or reactive lies within us and timeline for the implementation. is within our control.

If we attempt this recipe. experience. implementation the way we would go about preparing a favored tried and true recipe there can be no other outcome except success! And who doesn't love good food?

The First Step is to make decisions about who will do the cooking. In this case that will include "go live" with your masterpiece, the following:

Cook #1 - the person who will be responsible for overseeing the implementation

Cook #2 - the person who will have the final decision making authority, and,

Cook #3 - the vendor you will use.

Step 2 is to put on your apron and protect your clothing. In this instance you need to protect your practice and your income, so you will need to:

Hire the right consultant to assist with the implementation planning.

Once these key positions have been filled, you are ready to move on to Step 3. As with many things is life, the right understanding and the right tools make the tasks at hand run smoothly. Now you can read through the recipe and take the following measures:

• Organize the ingredients in the right order by developing an SOW (Scope of Work).

• Establish a written and oral Communication Plan so all the cooks understand the recipe.

Remember we measure twice and understand the systems that will be affected.

Write a budget to know how much

Modify any ingredients that you For many, eating is a pleasant want to change to customize the In this case that includes upgrades, new hardware, payer contracts, claims transmissions, etc.

> Develop a Training Plan to share Don't forget the your recipe. physicians, administration, clinicians, coders and billers.

> In order to be sure you are ready to perform a final gap analysis to catch any anticipated errors. In this case that includes measuring productivity, reevaluating documentation, performing internal testing, and providing additional education, if needed.

> Mix all ingredients together, keep a close eye on the time involved, and cook. Remember to perform internal and external audits under the guidance of certified CPC's and CPMA's, provide necessary retraining, and monitor your results.

> I hope your recipe turns out perfect and you are able to "Experience Success!"

Bevelyjean Jenkins, CMM, CPM, CPM-HRS, COM, CPC, CPM-MCS, **CPMA**

Vice-President, Healthcare **Operations** Health Informatics Consulting, LLC (609) 925-9008 FAX: (609) 925-9018

INAUGURAL ADDRESS

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I would like to extend my heartfelt thanks to the Morris County Medical Society Executive Members, our Executive Director Andrea Donelan and her staff, Mary Carr and Laurie Giordano.

And last but certainly not least, I would also like to thank for my wife Angela for her unwavering support and for constantly reminding me to treat every day at work with the same enthusiasm and optimism as I did on the very first day of my career. I'd also like to thank my children Evan, Lauren and Olivia for teaching me about the true joys of life and for inspiring me to think about the how decisions I make today will impact the next generation of physicians. Thank you!

Guy A. Taylor, M.D. President, 2011-2013



Dr. Guy A. Taylor & Family Front Row: Guy, Olivia & Angela Back Row: Evan, Lauren

NEW COMMISSIONER OF HEALTH & SENIOR SERVICES

Congratulations Mary O'Dowd on her confirmation as Commissioner of Health & Senior Services. Commissioner O'Dowd previously served as Chief of Staff for the Department from January 2008 to March 2010. In this role she shaped the Department's policy in the areas of health care delivery, senior services, public health and emergency preparedness. Additionally, Commissioner O'Dowd worked as a Legislative Aide and as Assistant Vice-President of Legislation and Policy with the New Jersey Hospital Association.

E-PRESCRIBING CMS TO MODIFY E-PRESCRIBING PENALTY PROGRAM

Under the CMS e-Prescribing rule, physicians must issue at least ten (10) electronic prescriptions by June 30 to avoid an e-Prescribing penalty that amounts to a 1% reduction from their total Medicare Part B allowable charges for 2012.

The AMA pressured CMS to make changes to the program, including the creation of additional exemption opportunities so that physicians who would have difficulty complying with the prescribing requirements quickly would not be penalized unfairly.

On May 26, CMS released a proposed rule that would allows physicians, if they quality, to apply for one of several new ePrescribing penalty exemptions through a Web -based portal that is under construction. Physicians will have to apply for an exemption by October 1 to avoid the penalty.

Physicians are still required to ePrescribe using a qualifying system and report the G8553 code on at least ten (10) Medicare Part B claims from Jan 1 through June 30, 2011 to avoid the 2012 penalty. However, physicians who find it difficult to meet the 10 e-script requirement can apply for one of the following exemption categories by October 1, 2011. The exemptions are:

- The practice is located in a rural area without high-speed internet access;
- The practice is located in an area without sufficient available pharmacies for e-

Prescribing;

- The are registered to participate in the Medicare or Medicaid Electronic Health Record Incentive Program and have adopted certified Electronic Health Record technology;
- They are unable to electronically prescribe due to local, state or federal law or regulation (such as prescribing controlled substances);
- They prescribe infrequently (for example, they prescribed fewer than ten (10 prescriptions between January 1 and June 30);
- There are insufficient opportunities to report the ePrescribing measure due to program limitations (for example, a ePrescribes but not on the date of patient encounter in accordance with the program requirements).

As soon as CME finalizes its changes to the ePrescribing penalty program this summer the information will be disseminated to the membership.

For group practices that are participating in eRx group practice reporting option (GPRO) I or GPROII during 2011, the group practice MUST become a successful e-prescriber. Depending on the group's size, the group practice must report the eRX measure for 75-2,500 unique eRx events for patients in the denominator of the measure.

For additional information, please visit the "How To Get Started webpage on the CMS website for more information or download the Medicare's Practical Guide to Electronic Prescribing.

NEW JERSEY PHYSICIAN PETER W. CARMEL, M.D. INAUGURATED AS AMA PRESIDENT

Congratulations to Dr. Peter W. Carmel, a member of the Medical Society of New Jersey and the Essex County Medical Society who was inaugurated as the 166th President of the American Medical Association in Chicago on June 21, 2011.

Dr. Carmel is a practicing pediatric neurosurgeon at the University Hospital in Newark. He was born in Brooklyn, New York and completed his medical training at the New York University School of Medicine and was research associate at the National Institutes of Health. Dr. Carmel completed his residency in neurosurgery at the Neurological Institute of New York. He obtained his doctorate in neuroanatomy from Columbia University College of Physicians and Surgeons. Dr. Carmel is the first neurosurgeon to be elected AMA president.

Dr. Carmel and his wife, Jacqueline Bello, M.D., a neuroradiologist reside in Manhattan. Dr. Carmel has three sons.



Peter W. Carmel, M.D. AMA PRESIDENT

TERMINATION OF THE PHYSICIAN/PATIENT RELATIONSHIP

NJAC 13:35-6.22 requires that physicians notify patients in writing of termination of care no less than thirty days prior to the date of termination. The notification is to be mailed certified mail, return receipt to the last known address of the patient. Physicians are required to provide all necessary emergency care and services including prescriptions.

Physicians are not required to comply with the requirements if the physician/patient relationship has been terminated by the patient or if the physician has discontinued providing services to a particular managed care carrier or HMO in which the patient is enrolled.

Copies of the regulations can be obtained by calling the Society office, **(973) 539-8889.**

INTEREST RATES ON DELINQUENT ACCOUNTS

Opinion #14 of the Judicial Council of the Medical Society of New Jersey states "physicians who experience problems with delinquent accounts may choose to add interest or other reasonable billing charges to delinquent accounts. The patient must be notified in advance of the interest or service charges by means of posting a notice in the waiting room, the distribution of leaflets in the office, and appropriate notations on billing statements".

Patients must be clearly notified and <u>agree in advance</u>, before any services are rendered, to pay a rate such as those charged by credit card companies (1.5% per month) in order to do so. For patients who have not agreed in advance to a particular service charge, the interest is limited to the rate applicable to judgments by the Rule of Court. The <u>Rule of Court rate for 2011 is .5% per year</u>.

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LOST OR STOLEN PRESCRIPTION BLANKS

If your prescription blanks are lost or stolen you MUST report it to the New Jersey Prescription Blank Unit (NJPB) within 72 hours. The NJPB can be reached at (973) 504-6558. A NJPH Incident Report must also be completed and mailed within seven (7) days. The form should be mailed to the Office of Drug Control. The NJPB form can be obtained by calling the Society office.

MEDAC

MedAC is the political arm of the Medical Society of New Jersey. MedAC advocates on behalf of physicians on issues that directly effect them. We need your help to maintain medicine's power at the healthcare bargaining table. Monies donated to MedAC are used for state legislators.

Please consider making a contribution to MedAC and be part of the solution. MedAC contributions (\$150) can be written on either a corporate or personal check. A donation in the amount of \$1,000 is required to be included in the Capital Club. Checks should be made payable to MedAC and mailed to the Society office, 52 Elm Street, Morristown, NJ 07960.



REMINDER

The following certificates are required to practice medicine in New Jersey.

NJ State Board of Medical Examiners Mr. William Roeder

Executive Director P.O. Box 183 Trenton, NJ 08625-0183 (609) 826-7100

CDS Registration

Susan Gartland Chief Drug Control Department of Law & Public Safety P.O. Box 45022 124 Halsey Street, 7th Floor Newark, NJ 07101 (973) 504-6545

County Clerk Registration Certificate

NJ SBME regulation 45:9.17 requires that you register your license with the County Clerk in the County in which you reside.

Morris County Clerk (973) 285-6120

Drug Enforcement Administration Donna Deans Christine Hayes 80 Mulberry Street Newark, NJ 07102 (800) 882-9539 www.deadiversion.usdoj.gov Page 10

SUMMER 2011

MCMS NEWS

Gottor, There's Someone Here From The Government Who Wants To See Our Records."



Is A Government Inquiry In Your Future? With disciplinary actions on the rise and inquiries increasing, it is more important than ever to have legal representation. That is why Kern Augustine offers the Physician Advocacy Program[®] – a powerful legal defense program designed to protect you. For a modest annual fee, you will have the firm of Kern Augustine with you from the moment an inquiry begins. You will also enjoy the peace of mind that comes from knowing Kern Augustine's years of experience and widely-respected legal reputation is at work for you and the practice you have worked so hard to build. For more information, or to join the Physician Advocacy Program[®], call now.

To put The Physician Advocacy Program[®] at your side please call **1**•800•445•0954

MCMS NEWS

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IN MEMORIAM

George S. Lassiter, M.D. 1934-2011

James E. Thompson, M.D. 1921-2011



DO WE HAVE YOUR CORRECT ADDRESS?

Have you moved recently? Are we sending your mail to the correct address? Do we have your correct telephone number? Do we have your e-mail address? Please notify the Society office of any changes in your address, telephone number, fax number and e-mail address.

MCMS WEB SITE

The Morris County Medical Society web site can be found at "www.mcmsdocs.org". Members can access the members only section by using their last name (lower case letters) as username and the NJ license number (including the MA or MB) number as the password. Who's Managing Your Billing? Would You Like to Increase Cash Flow?

While You Focus On Patients...We Focus On You!

15 Years Experience Morris County Based Performance Guarantee References Available Medworks Management is a local medical billing service dedicated to helping practices become more efficient, increase cash flow, and decrease days in AR.

Medworks Management Call us at 973.543.8600 for a free consultation.

Email: fvigilante@medworksinc.com - Fax: 973.543.6495 www.medworksinc.com

SAVE THE DATE!! SPECIALTY SOCIETY MEETINGS

New Jersey Chapter, American Colleges of Surgeons

Wednesday, September 21: Council Meeting and dinner. The Prospect House, Princeton University, Princeton, NJ.

Saturday, December 3: Annual Clinical Symposium. Renaissance Hotel & Conference Center, Iselin.

7.5 AMA PRA Category 1 credits. For additional information, please call (973) 539-4000.



B & W PRINTING COMPANY, INC. New Jersey

Prescription Blanks

Authorized vendor for NJ Prescription blanks. Same or next day emergency service for one part prescription forms (may require customer pickup). Quantities as small as 500. Prices starting at \$40. **Contact Dean Russamano at** (908) 477-9294 or E-mail at: russa321@verizon.net.

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MCMS NEWS



"There is a Better Way."

Contact Nixon today!

1-866-300-5608 www.nixonmedical.com

CASA A POWERFUL VOICE IN A CHILD'S LIFE

CASA of Morris and Sussex Counties is a 501c(3) not for Profit Corporation and is a member of the National Court Appointed Advocates Association. The mission of CASA is to help ensure that all abused, neglected and abandoned children are placed in permanent and secure homes. The staff trains, supports and supervises volunteers who facilitate and monitor the services of these children on a one-to-one basis. This organization relies on donations and grants to offset expenses. Help them out anyway you can.

For more information, call **(973) 656-4330**.



CME REMINDER

Upon renewal of licensure in New Jersey, one hundred (100) hours of CME are required. Forty of the credits must be in Category I.

The Medical Society of New Jersey offers the Physician's Recognition Award to all physician members free of charge. To obtain the MSNJ PRA, one hundred and fifty hours of Continuing Medical Education credits over a three year period are required. Should you need the Physicians Recognition Award application, please call the office.

CHAPERONS IN THE MEDICAL OFFICE

NJAC 13:35-6.23 requires that in all office settings, physicians must provide notice to their patients of the right to have a chaperone present under the following circumstances: 1) during breast and pelvic examinations of women; and 2) during genitalia and rectal examinations of both men and women.

The notice should be either provided in written form to the patient or by conspicuously posting a notice in a manner in which patients who are to be examined are made aware of the right to request a chaperone and to decline care if a chaperone acceptable to the patient is not available. A physician is not obligated to provide further care for the immediate medical problem presented if the patient does not find the chaperone acceptable. A physician is not obligated to provide further care for the immediate medical problem if the patient refuses to have a chaperone present and the physician wants to have a chaperone present during the examination

NEW JERSEY LICENSE RENEWAL

License renewals for all New Jersey have been mailed by the New Jersey Division of Consumer Affairs. Your current license expired on June 30, therefore if you have not already done so, you must renew your license now. The easiest way to renew is on line. If you are experiencing difficulty with the renewal process please call the Society office.

KEEP YOUR OLD MEDICAL LIABILITY POLICIES

When you transfer your medical liability coverage from one company to another, do not throw out the old policy. The policy in effect at the time of the treatment is the policy under which you are insured even if the suit is filed years later. All policies should be kept in a safe place and easily recoverable should the unfortunate occur and a suit is filed against you.



DONATIONS OF UN-USED MEDICAL SUPPLIES

REMEDY is an organization that provides un-used medical supplies to hospitals in remote locations.

REMEDY has recently launched a web site that links specific medical supplies with clinics worldwide. The service is called Med-Eq and arranges for new or older medical supplies and or equipment to be shipped to clinics in developing counties, such as Albania, Columbia, Nicaragua, Turkey and Vietnam.

REMEDY can be contacted at (203) 737-5356, (203) 785-6750 or via e-mail medeq@yale.edu. FAX: (203) 785-5241. The web site is: www.remedyinc.org





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Services Offered

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Handicap Accessible Most Major Insurance Accepted

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CLASSIFIED ADS

SPACE AVAILABLE: Morris County bright, sunny handicapped accessible, ample parking Convenient to major hospitals and highways. Pictures at <u>www.elliotagrossman.com</u>. Fully outfitted, ready to go. A seamless way to expand your practice. Flexible hours available. The amount of space and rate negotiable. **Contact** (201) 259-8335.

CEDAR KNOLLS—Medical Building for sale or lease. Unit sizes starting at 3,000 S.F. to 25,000 S.F. **Please contact Jay at J. Graham Realty, LLC at** (973) 540-1232.

MORRISTOWN Medical Building For Sale. 1,000 S.F., two examination rooms, two privates offices, reception room, waiting room, large storage room in basement, on-site parking, close to the hospital. Please contact Jay at J. Graham Realty, LLC at (973) 540-1232.

NOTARY SERVICES AVAILABLE AT THE EXECUTIVE OFFICE (973) 539-8889

WELCOME NEW MEMBERS

The Morris County Medical Society welcomes the following new members. The asterisk indicates Board Certification.

DOREEN DEGRAAFF, M.D. OBSTETRICS & GYNECOLOGY *

776 Northfield Avenue West Orange, NJ 07052 (973) 731-7707 M.D., 1988, University of Medicine and Dentistry of New

Jersey, New Jersey Medical School, Newark, NJ. Residency training: St. Barnabas Medical Center, Livingston, New Jersey.

SILVANA GAUDINO, M.D. OBSTETRICS & GYNECOLOGY *

127 Pine Street Montclair, NJ 07042 (973) 707-2122

M.D., 1983, State University of New York Upstate Medical School, Syracuse, New York. Residency training: St. Luke's Roosevelt Medical Center, New York, New York.

PHYSICIANS WANTED

Full or part time. Immediate openings, weekends available. Concentra Medical Services with offices throughout New Jersey. Please contact Anthony Tarasenko, M.D., Medical Director at (908) 757-1424 or fax CV to: (908) 757-5678.

PAAD LIMITS

The 2011 Pharmaceutical Assistance for the Aged and Disabled (PAAD) income limits as of January 1, 2011 are: * Single: \$24,432.00

* Married Couples : \$29,956.00

Patients can obtain an application for the PAAD program by **calling**, **800-792-9745**.

FEDERAL LEGISLATORS

Congressman Rodney Frelinghuysen

30 Schuyler Place, 2nd Floor Morristown, NJ 07960 (973) 984-0711 FAX: (973) 292-1569 DC office: (202) 225-5034 E-mail: rodney.frelinghuysen@mail.house. gov

Senator Frank Lautenberg One Gateway Center, 23rd Floor Newark, NJ 07102 (973) 639-8700 DC office: (202) 224-3224 FAX: (973) 639-8723 E-mail: visit the following to send e-mail: www.lautenberg.senate.gov

Senator Robert Menendez

One Gateway Center, Suite 1100 Newark, NJ 07102-5257 (973) 645-3030 FAX: (973) 645-0502 DC office: (202) 224-4744 E-mail visit the following to send e-mail www.menendez.senate.gov

If you do not live in the 11th Congressional District, please call the Society office for the name and contact information for your Congressman.

If you would like a list of the Morris County legislators, please call the Society office.



2 Princess Road, Lawrenceville, NJ 08648 PHONE: 609.896.1766 ext. 261; E-MAIL: aclarke@msnj.org for more information please visit <u>www.msnj.org</u>

2011 MEMBERSHIP FORM

I'd like to contribute to MedAC with a personal or corporate check (circle one):

Please make your **CORPORATE OR PERSONAL CHECK** payable to **MedAC** and send to MedAC, 2 Princess Road, Lawrenceville, NJ 08648.

I'd like to contribute to MedAC using a CREDIT CARD:

I'd like to pay my membership dues by credit card (please circle corporate or p	ersonal):
Please fill in the amount paid:	
Name (Please Print):	
Card type: o VISA o MasterCard o AMEX Card #:	
Expiration Date: Cardholders Signature:	

Alternate Payment Option for credit card payments only:

The New Jersey Election Law Enforcement Commission requires us to collect and report the name, mailing address, occupation, and name of employer of contributors whose contributions exceed \$300 in a calendar year.

Name:					
Mailing Address:					
Phone (work):		Fax (work):			
Occupation					
Employer:					
Work Address:					
Street A	Address	Ci	ity	State	ZIP

If you are sending a check from a partnership entity or from a limited liability entity, please provide written instructions concerning the allocation of the contribution amount to a contributing partner(s) or member(s); a signed acknowledgment of the contribution from each contributing partner or member who has not signed the contribution check or other written instrument; and, contributor information for each contributing partner or member. One hundred dollars of each contribution exceeding \$200.00 will be forwarded to AMPAC for use in federal elections.

Contributions to MedAC/AMPAC are not deductible as charitable contributions for federal income tax purposes. Funds from corporations given to AMPAC will be used for political education activities where allowed. Contributions are not limited to suggested amounts. Neither the MSNJ nor the AMA will favor or disadvantage anyone based upon the amounts of or failure to make PAC contributions. Voluntary political contributions are subject to limitations of FEC regulations Section 110.1, 110.2 and 110.5 (Federal regulations require this notice)

ADO72909

MEDICAL SOCIETY TWIN MEMBERSHIP RECRUITMENT

The Medical Society is the primary spokesperson for organized medicine and we need you. We appreciate your continued membership in the Morris County Medical Society and the Medical Society of New Jersey.

Times have never been more difficult for physicians in New Jersey. We face challenges at every turn. The only way we will be able to successfully battle those challenges is to maintain a unified organization. There is strength in numbers.

Do you know a colleague that isn't a member? The MSNJ/ MCMS Twin Membership is a new program that offers potential members the opportunity to split their dues in half by finding another physician to join with them. Existing members can also benefit from this program if they recruit a new member. Each physician pays half dues. A membership application can be found on page 19, by calling the office or on the MCMS web site, "www.mcmsdocs.org". Make sure you indicate the twin member on the application.

Dues for 2011 for the twin program are \$577.50 per member, that is less than \$2 per day. Credit card payments are accepted.



"HEALERS & HEROS" 2H PROGRAM

The 2H program has been established for physicians interested in assisting service members and veterans obtain necessary, timely and proper Through this medical care. program, service members will be linked to volunteer physicians promoting an open dialogue in which to discuss health-related matters confidentially. This consultation can be held at MSNJ headquarters in Lawrenceville or in the physician's office

For the first year of implementation, the 2H program will only be available to service members of the New Jersey National Guard who have been deployed in the last 18-months. Plans to expand the program in the future to include more service members in New Jersey are being addressed at this time.

MSNJ is recruiting physicians with military experience to participate in the 2H program, developing a voluntary support panel for the New Jersey National Guard population.

Materials detailing the program will be distributed by DMAVA throughout its statewide network and by accessing its website at:

www.njhealersandheroes.com.

For more information about the 2H program, kindly contact Dan Klim at (609) 896-1766 x203.

ARE YOU A TRICARE AUTHORIZED PHYSICIAN?

Are you an authorized Tricare physician?? Picatinny Arsenal is in Morris County and employs many civilian employees. Those employees are covered by Tricare and have been calling the Society office requesting a referral to a Tricare authorized physician. You **DO NOT** have to participate in the Tricare program to be an authorized Tricare provider. There are forms to complete for individual physicians and physician group practices. The forms are available from the Society office, by calling Tricare or on the Tricare web site. The web site is: www.mvtricare.com. Click on provider forms on the right side of the page and select the forms that pertain to your practice. The telephone number for Tricare is (877) 874-2273.

As previously stated, you ARE NOT required to participate in Tricare. However, physicians must be Tricare authorized in order for the patient to be reimbursed for medical services. The forms are easy to complete and shouldn't be time consuming. Why not consider becoming a Tricare authorized physician?

Please call the Society if you should have any questions.



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> MICHAEL G. KIRWAN, ChFC, CLU, CEBS Chartered Financial Consultant Chartered Life Underwriter Certified Employee Benefits Specialist *President*

Is Your Group Plan Certified?

With the plethora of unending new legislation arriving daily, coding and electronic reporting issues becoming an impediment to your reimbursements, as well as your practice/business, we now have yet another issue to present, <u>Employer Certification</u>.

The carriers have always reserved the right to request an annual certification, which is a detailed census of "all employees", regardless of hours worked, in an effort to be assured that not only are you including all eligible employees, but to be certain that you are meeting the requisite 75% participation test.

Prior to this year, this request has been sporadic but the screws are now tightening and most all of the carriers are not only requesting but scrutinizing your Employer Certification and here's what you will need to provide:

- Complete Census consisting of name, position, dob, salary, hire date and hours
- WR-30-used to substantiate your census
- Completed/Signed Waivers for all those not accepting coverage Note: AValid Waiver would be spousal coverage, not, "I can't afford it".
- 75% Participation is required, which would include the aforementioned categories
- Employer must pay at least 10% of the Single rate
- New for 2011-Only 1 carrier (Ex: Horizon, Aetna etc.) per group

Due to the more intense scrutiny by the carriers, we have expanded our services to include the review of our clients Employee Benefit structure, wherein, we are now analyzing several key areas where we have found our clients to be lacking and/or vulnerable:

• POP (Premium Only Plan) - Payroll Deduction is the method of choice and allows your Employees to pay for their share of monthly premiums on a "Pre-Tax" basis, saving them at least 20% on their tax bill, while equally providing for about a 10%-14% tax savings to the Employer.

However: 1.)You will be required to have a properly completed Section 125 document in order

- to take advantage of this tax break, as well as a,
- 2.)Signed acknowledgement of consent by your employee/participant

Note: If HSA contributions are being made through payroll deduction, your document will be required to have additional qualifying language to permit this deduction.

• FSA (Flexible Savings Accounts) is another popular method to allow your employees to take advantage of Pre-Tax" payment of excess and/or non-covered medical, dental or vision expenses

These plans require annual testing and you should maintain a copy of both the respective documents and test results in your office in the even to an audit and to confirm that they are up-to-date.

Please check the current rules of eligibility pertaining to owners/stockholders or contact our office and we will provide you with a free office audit if you indicate your membership with the Morris County Medical Society.

MCMS NEV	S NEWS SUMMER 2011				
THE MORRIS COUNTY MEDICAL SOCIETY AND MCMS THE MEDICAL SOCIETY OF NEW JERSEY					
Name		(Exactly as on NJ Medica	Il License)		
Medical Educ		(If M.E. # unknown, leav			
		ssued Birth Date Ge			
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	STREET	FAX NUMBER			
	CITY, STATE, ZIP				
Secondary		()			
Practice	GROUP NAME (if applicable)	TELEPHONE NUM	3ER		
	STREET	() FAX NUMBER			
	CITY, STATE, ZIP				
Home		()			
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	CITY, STATE, ZIP	FAX NUMBER			
Spouse's Na	me	E-Mail Address			
Past MSNJ me	ember: No Yes County:	Current AMA Member: Yes	No		
Twin Membe	r name	ME Number			
Medical Educ	cation				
Residencies/	School/Location Dates	Degree	Year		
Fellowship/D	ates				
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Active Hospi	tal Appointments				
	· -	nation to <u>any</u> questions answered "yes."			
2	r been convicted of a felony crime?		Yes No		
Has your licen Have you eve	se to practice medicine in any jurisdic r been the subject of any disciplinary a	tion ever been limited, suspended or revoked? action by any medical licensing board, medical	Yes No Yes No Yes No		
	y, or hospital staff?				
officers, agents, credentials & qu provide informa ethical conduct,	, employees, & members for acts performed ualifications, & hereby release from any lia tion to the above named organizations, o , character & other qualifications for mem	oss, the Morris County Medical Society and Medical Soc d in good faith & without malice in connection with evalua ability any & all individuals & organizations, who, in goo or to their authorized representatives, concerning my p bership. Furthermore, I attest to the accuracy of info ion may result in denial or revocation of membership.	ting any application & n d faith & without malic professional competenc		

Applicant's signature: _____

Mail completed application to: MCMS, 52 Elm Street, Morristown, NJ 07960-4146

Date: _

Morris County Medical Society 52 Elm Street Morristown, NJ 07960-4146



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