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Doctors Deserve the Right to Collectively Negotiate

Are you concerned about the availability of physicians in your community? You should be.

A recent report from the Healthcare Association of New York State noted that 86% of upstate hospitals indicated that there are times when they have to transfer patients from their emergency departments because of insufficient specialty care availability. Over 70% of hospitals noted their lack of primary care capacity.

New York State is notorious for its hostility to doctors. With its exorbitant liability costs, practice mandates, high overhead costs, and low reimbursement for patient care delivery, New York recently received the dubious distinction from WalletHub as being the worst state in the entire country to be a physician.

No wonder New York States loses more than half the medical residents we pay to train to other states with more favorable practice climates. We used to retain a much higher percentage of these residents.

Thankfully, legislation has been introduced by Senator Kemp Hannon and Assemblymember Richard Gottfried to help reverse these disturbing trends. It would encourage physicians to remain in communities across New York State by permitting them to negotiate collectively with health insurers, especially in regions of the State where certain insurers have a dominant market share.

Such joint negotiations are now strictly prohibited by law. The Hannon-Gottfried bill would allow these negotiations to occur on a limited basis, provided that the negotiations are closely monitored by the State to assure the outcome is in the public's best interests.

Collective negotiation rights would be the first big step in pushing back against the huge administrative barriers imposed by health insurers that interfere with patient care. For example, a recent study by Milliman noted that insurers' (over)use of burdensome prior authorization and step therapy requirements for many prescription medications nearly doubled in New York State between 2010 and 2015.

And a recent Annals of Internal Medicine study reported, astoundingly, that physicians spend two hours on administrative work for every hour spent with a patient.

Moreover, collective negotiation rights would help to assure that our patients have a much broader choice of physicians in their insurance networks.

Over 25% of physicians responding to a MSSNY survey noted that, in the past 2 years, they were completely dropped from an insurer's network; Of greatest concern, nearly 80% of physicians reported situations where their patients could not receive care promptly because the insurer lacked an adequate network of physicians.

We are often powerless to challenge insurers when we have been unceremoniously dropped from a health insurer's network, ignoring the obvious hardship to patients who want to stay with their preferred physician. In these cases, although the patients are covered by an insurer, they have no rights either.

Physicians must be given a realistic opportunity to negotiate these patient care delivery terms with insurers. The Hannon-Gottfried legislation is a good start. We urge the Senate, Assembly and the Governor to work together to enact this measure into law.

New York residents deserve to have comprehensive health care options available for them in their own communities.

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