

1 **Board of Regents Actions Taken on BOG Resolutions, November 6-7, 2021, Remote Mtg.**

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3 **Adopted and referred for implementation: (Lines 29 - 122)**

- 4 3-F20. Readdressing the Issue of Hospital Patient Status
- 5 4-F20. Advocating for Coverage of Mental Health Counselor and Marriage and Family Therapist Services
- 6 under Medicare
- 7 10-F20. Seeking Federal Protection for Those that Administer Vaccines
- 8 11-F20. Formalizing the Residency Program Closure Process and Preventing Hardships for Trainees
- 9 1-F21. Collaborating to Determine Optimal Ways to Incorporate Training in Physician Leadership and
- 10 Public Policy Advocacy into Internal Medicine Curricula
- 11 2-F21. Advocating for Inclusion of Antimicrobial Resistance and Stewardship Education in Medical
- 12 School Curriculum and Internal Medicine Residency
- 13 4-F21. Supporting a Policy to Avoid Conflicts of Interest for Physician Solicitation of Financial Contributions
- 14 from Patients
- 15 6-F21. Facilitating Research and Treatment of Individuals with Post-Acute Covid-19 Syndrome (PACS)
- 16 7-F21. Advocating for Pan Asian/Asian American Racial/Ethnicity Data Inclusion and Representation to
- 17 Promote Health Equity
- 18 9-F21. Providing Educational Material to Physicians on the Changes to the “Stark Law” as Announced
- 19 by CMS in November 2020
- 20 12-F21. Providing Support for Lactating Physicians

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22 **Adopted as a substitute resolution and referred for implementation: (Lines 124 – 132; 135-159)**

- 23 5-F21. Addressing Concerns about Private Equity Firms and Their Effect on Medical Care
- 24

25 The Board of Regents approved, as a Consent Calendar, the recommendations regarding the

26 disposition of each of the following 11 resolutions recommended for adoption at the Fall 2021 Board

27 of Governors Virtual Meeting:

28

29 **BOG Recommends for Adoption/Implementation:**

30 ***4-F21. Supporting a Policy to Avoid Conflicts of Interest for Physician Solicitation of Financial***

31 ***Contributions from Patients***

32 ***(RRC Referral Recommendation: Ethics, Professionalism, and Human Rights Committee [EPHRC])***

33

34 RESOLVED, that the Board of Regents support the creation of a policy, and more detailed guidance

35 in the ACP Ethics Manual, regarding physician involvement in fundraising from patients, which

36 limits any real or perceived conflict of interest with patient care including, but not limited, to a)

37 prohibiting physician financial incentives and b) ensuring that physician participation is voluntary

38 and without repercussions.

39

40 ***7-F21. Advocating for Pan Asian/Asian American Racial/Ethnicity Data Inclusion and Representation***

41 ***to Promote Health Equity***

42 ***(RRC Referral Recommendation: Health and Public Policy Committee [HPPC])***

43

44 RESOLVED, that the Board of Regents advocates, in collaboration with other stakeholders

45 (including but not limited to the National Academies of Science, Engineering, and Medicine

46 [NASEM], and other organized medicine societies), for the collection and inclusion of the Pan

47 Asian/Asian American communities' disaggregated racial/ethnic data in health systems, health  
48 surveys, public health and medical studies, whenever such surveys and studies provide data on  
49 other communities of color. This advocacy can also include requests for major funders of  
50 scientific studies to set standards for data collection ensuring inclusion of Pan Asian/Asian  
51 American communities' disaggregated racial/ethnic data.

52

53 **BOG Recommendations for Adoption/Implementation with Amendments:**

54 ***3-F20. Readdressing the Issue of Hospital Patient Status***  
55 ***(RRC Referral Recommendation: Medical Practice and Quality Committee [MPQC] with input***  
56 ***from Clinical Policy staff on the 2<sup>nd</sup> resolved clause)***

57 RESOLVED, that the Board of Regents advocates for support of decreased complexity of  
58 inpatient and observation status, and recommends a transparent, consistent reimbursement  
59 of appropriate care; and be it further

60 RESOLVED, that the Board of Regents advocates for the development of clinical standards for  
61 assigning inpatient and observation status that are based on best available evidence.

62

63 ***4-F20. Advocating for Coverage of Mental Health Counselor and Marriage and Family Therapist Services***  
64 ***under Medicare***

65 ***(RRC Referral Recommendation: MPQC)***

66 RESOLVED, that the Board of Regents advocates for the passage of federal regulation and/or  
67 legislation to mandate Medicare coverage of licensed mental health counselor and marriage  
68 and family therapist services.

69

70 ***10-F20. Seeking Federal Protection for Those that Administer Vaccines***

71 ***(RRC Referral Recommendation: HPPC)***

72 RESOLVED, that the Board of Regents work with other medical, non-physician clinician, and  
73 public health organizations to seek federal protection for physicians, other clinicians, public  
74 health professionals, and associated team members who educate on, administer or distribute  
75 vaccines, which includes but is not limited to seeking similar legislation to the Freedom of  
76 Access to Clinic Entrances Act for vaccine providers.

77

78 ***11-F20. Formalizing the Residency Program Closure Process and Preventing Hardships for Trainees***

79 ***(RRC Referral Recommendation: Education Committee [EC] with input from Health Policy staff)***

80 RESOLVED, that the Board of Regents work with the ACGME, CMS, and other relevant  
81 stakeholders to create a formal and transparent residency program closure process,  
82 delineating a hospital's responsibility to prevent hardships for trainees including, but not  
83 limited to, a reasonable amount of notice to trainees, attempts to relocate trainees prior to  
84 closure, allowing trainees to start work at their accepting institution at a reasonable time  
85 before the day of closing, and assistance in filing for visa extensions.

86

87 ***2-F21. Advocating for Inclusion of Antimicrobial Resistance and Stewardship Education in Medical***  
88 ***School Curriculum and Internal Medicine Residency***

89 ***(RRC Referral Recommendation: EC)***

90 RESOLVED, that the Board of Regents collaborate with the Association of American Medical  
91 Colleges, the American Association of Colleges of Osteopathic Medicine, the Liaison  
92 Committee on Medical Education, the Accreditation Council for Graduate Medical Education,  
93 the Infectious Diseases Society of America, American College of Clinical Pharmacy, and other  
94 pertinent stakeholders, to continue to promote and advocate for education on antimicrobial  
95 resistance and stewardship as an enhanced component of the curriculum for medical students  
96 and internal medicine residents.  
97

98 **6-F21. Facilitating Research and Treatment of Individuals with Post-Acute Covid-19 Syndrome (PACS)**  
99 **(RRC Referral Recommendation: Division of Governmental Affairs and Public Policy [DGAPP] staff)**

100 RESOLVED, that the Board of Regents take the following actions to facilitate research and  
101 treatment of individuals with Post-Acute Covid-19 Syndrome (PACS):

- 102 1. Commend the NIH on its plan to fund comprehensive and coordinated basic research  
103 into the prolonged health consequences of SARS-Cov-2 infection, and strongly  
104 encourage the NIH to proceed as fast as is considered scientifically appropriate with the  
105 funding of well-designed treatment trials, including community-based sites, in light of  
106 the anticipated widespread amount of human suffering expected from this condition.  
107

108 **9-F21. Providing Educational Material to Physicians on the Changes to the “Stark Law” as Announced**  
109 **by CMS in November 2020**  
110 **(RRC Referral Recommendation: DGAPP staff with input from EC staff)**

111 RESOLVED, that the Board of Regents prepare educational material for ACP members which  
112 explain the changes in the Stark Law, as well as to provide examples of how these changes may  
113 enable ACP members to increase quality and comprehensiveness of care.  
114

115 **12-F21. Providing Support for Lactating Physicians**  
116 **(RRC Referral Recommendation: HPPC)**

117 RESOLVED, that the Board of Regents develop a position statement that highlights the  
118 importance of supporting physicians in achieving their breastfeeding goals, including  
119 encouraging hospitals and clinics to develop policies that provide private lactation spaces in  
120 close proximity of workspaces and equipped with a phone and computer to address  
121 productivity goals, and to offer physicians protected time for lactation without affecting  
122 income.  
123

124 **BOG Recommends for Adoption/Implementation as a Substitute Resolution:**

125 **1-F21. Collaborating to Determine Optimal Ways to Incorporate Training in Physician Leadership and**  
126 **Public Policy Advocacy into Internal Medicine Curricula**  
127 **(RRC Referral Recommendation: Council of Resident and Fellow Members [CRFM] with input from**  
128 **HPPC and EC)**

129 RESOLVED, that ACP collaborate with the Alliance for Academic Internal Medicine and the  
130 Association of Program Directors in Internal Medicine to determine optimal ways to  
131 incorporate training in physician leadership and public policy advocacy into internal medicine  
132 curricula and that ACP uses its expertise to assist in developing this advocacy curriculum.  
133

134

135 **BOG Resolutions extracted from the Consent Calendar:**

136

137 The Board of Regents extracted Resolution 5-F21 to discuss. Following discussion, the Board of Regents

138 ***VOTED:*** to approve the below substitute resolution and recommends referring to the HPPC for  
139 implementation with input from Chapters Subcommittee.

140

141 ***5-F21. Addressing Concerns about Private Equity Firms and Their Effect on Medical Care***

142 RESOLVED, that the Board of Regents work actively on developing specific policies for  
143 encouraging the collection of data on the scope of private equity group purchases of medical  
144 entities, including but not limited to:

145 1. Contacting other relevant medical organizations such as the American Medical  
146 Association and the American Academy of Family Physicians regarding ways to work  
147 together to encourage collection of relevant data.

148 2. Asking national ACP to contact the membership using a methodology developed by  
149 national ACP to better understand how the purchase of medical practices and  
150 organizations by private equity groups affects our members, patient care, and  
151 healthcare access, equity and costs.

152

153 **Rationale:**

154 At their November 6, 2021 meeting, the Board of Regents (BOR) voted to amend Resolution 5-F21 and  
155 refer it to HPPC for implementation with input from Chapters Subcommittee. The BOR reviewed the  
156 Health and Public Policy Committee's policy around the financial motive in medicine and  
157 encroachment of private equity firms and their subsequent effect on medical care. The BOR changed  
158 the collection of data from chapters to national ACP citing uneven resources among Chapter to  
159 address the resolution which could result in skewed data.