



President's Message

Why Isn't Every Emergency Physician You Know a Member of AAEM?

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An emergency physician is asked to attend a meeting with hospital administrators. During this meeting he is asked to besmirch his department head. Having no reason to do so, he refuses. The interrogation persists to the point that he is threatened with the loss of his job. Once again he says that, as far as he knows, the department head is behaving in an ethical manner. The threat is made good and the physician finds himself without a job after several years with the organization. No real explanation is given, and there is no hint of any due process. He seeks the advice of legal counsel and is told he has an excellent case against his former employer. Legal costs will be high, to say the least. He comes to AAEM for help. After reviewing the case, the Academy agrees that this is a flagrant violation of due process and agrees to contribute to his legal defense via the AAEM Foundation.

A national hospital corporation begins to pressure its emergency physicians to meet admission quotas. Its leaders want patients who meet certain criteria to be admitted to the hospital, whether the patient actually needs admission or not. This will help the hospital's bottom line, but may not be best for patients. The physicians reject this order and lose their jobs. They file a *qui tam* suit against the involved entities, and the federal government decides to join them. In 2013, *60 Minutes* exposes the story to a national audience, with the help of the Academy.

The state of Virginia begins retrospectively downgrading ED charges, based on discharge diagnoses. So, a patient admitted to the ED with a chief complaint of chest pain has a full work-up, gets a discharge diagnosis of chest wall pain, and then has his charge down-coded — ignoring the work-up required to determine the cause of the pain. Our state chapter leads the effort to stop this unfair and costly practice.*

A national hospital chain and a contract management group form a joint venture to staff the hospital chain's EDs. They agree to share the profit from this joint venture. Of course that profit is money meant for the emergency physicians who provide care in the chain's EDs. There are federal statutes that prohibit fee-splitting and kickbacks, as well as state laws that prohibit the corporate practice of medicine. Several independent, physician-owned groups lose their contracts to this joint venture. The Academy takes action and brings this situation to the attention of the appropriate authorities — alone — the other major organization of emergency physicians does nothing.

Other similar incidents have occurred over the last two years, but these are the most flagrant attempts to wrest control of the practice of emergency medicine from physicians. We are still the only organization that defends emergency physicians against corporate interests, even to the point of assisting with their legal fees. We are the only organization willing to step forward and attempt to shine the light of day on the abusive and seemingly fraudulent practices of some hospitals and contract management groups. The Academy is alone when it brings violations of corporate practice of medicine laws to the attention of state medical boards and attorneys general.

As I travel around the country giving lectures about the Academy, and go before members of Congress on Capitol Hill, I do so with great pride. Pride that after twenty years we still stand up for our members, still expose the abuses that occur everyday in emergency medicine, and still educate young emergency physicians about the unjust exploitation built into practice models present in at least 45% of our nation's EDs. We are the only organization in emergency medicine that goes out and fights this battle for our physician-members and the specialty itself.

When I became AAEM's president a former mentor of mine, who is also a former ACEP state chapter president, confided that "You are right on message and the only organization that is there for the individual emergency physician. I don't understand why most emergency physicians are not members." You know what? Neither do I!

*See the Virginia AAEM Chapter Update in this issue of *Common Sense*. As of now, Virginia Gov. Bob McDonnell has agreed to include the elimination of this program in his proposed budget. ■

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