

Notice: the VPA Listserv will soon be back in operation. If you haven't already done so, sign up by e-mailing Jessa Block at: jblock@vtmd.org. Please tell other Vermont psychiatrists about the Listserv. The Listserv can be accessed at: vpa@vtmd.org

VERMONT PSYCHIATRIC ASSOCIATION

Minutes of the Executive Committee Meeting

May 13, 2005

Members Present: Drs. Danielson, Deppe, Fassler, Kalibat, McMains, Pierattini, Silverman, Simpatico, and Weker, and Jessa Block, VMS

Guest Present: Madeline Mongan, VMS

Minutes: The minutes of the previous Executive Committee Meeting were not reviewed.

Announcements:

1. Executive Committee Meeting Schedule:

1. Friday, June 17, 1:30 p.m.: Vermont Medical Society, Montpelier
2. Friday, July 15, chez Deppe, Colchester; details to be provided
3. There will be no meeting in August. We're psychiatrists.

2. Jessa Block will be leaving her position with the VMS, and with the VPA, at the end of June. The VMS is interviewing candidates to fill her position.

Reports:

3. Treasurer's Report: Dr. Fassler reported that the VPA's total assets stood at \$86, 622. He reported that the VPA's 36-month CD bond at BankNorth matured with a value of \$28,127. The Committee gave its approval to open a new CD at the Chittenden Bank for eight months at a rate of 3.1% APRIL in the amount of \$50,000. This includes the matured CD and money from the money market at BankNorth.

Old Business:

4. Follow-up to the April General membership meeting: The Executive Committee commented on the overall success of the April meeting, acknowledging the hard work of the planning group (Drs. Lisa Capatano-Friedman, Stuart Graves, Alice Silverman and Jonathan Weker) in bringing the meeting together. The Executive Committee will coordinate with the committees established to carry forward the work of the work groups that met in April.

The Committee strongly supports the ideas suggested by Deborah Lopez, MD regarding integrating members into more active leadership role. She suggested that the next

issue of the newsletter be devoted to “Membership Orientation: Who’s Who in our Organization and How You Might Get Involved,” detailing committee structures and functions.

5. Vermont State Hospital: The urgency of the immediate situation was presented, especially with respect to psychiatric staffing: VSH has been down one psychiatrist for nearly a year, a second one will be leaving at the end of the month, and at least one more is actively considering departing. The contract between the State and FAHC (which employs VSH psychiatrists) has yet to be renewed. Dr. Simpatico, VSH medical director, reported that it is believed the Governor will be making a statement in the very, very near future in substantive support of VSH. He also reported that Mike Smith, Secretary of Human Services, has stated that contracts for the psychiatrists with FAHC will be forthcoming by the end of the month. Dr. Pierattini reported that poorly-planned timing in the negotiating process may have been the key issue in creating the dire straits in psychiatrist contracting. From the FAHC perspective, “there are no major substantive disagreements” between the State and FAHC, and that indeed contracts may be accomplished by the end of May.

The Executive Committee considered responses the VPA could make, given the uncertainty as to what the Governor might do in the immediate future. Several steps were promulgated: first, through the VMS, to immediately convey to the Governor the hope that he will speak out strongly and soon on behalf of the state hospital; second, through the network of interested parties (e.g., the VAMH), to convene a press conference either to commend the Governor’s positive step (should he take it) or to criticize his lack of action; third, to have a VPA spokesperson present a response on behalf of the VPA at this press conference. Such a press conference would most likely occur following the Governor’s weekly press conference next Thursday. In the event that it does, Dr. Silverman agreed to be the VPA spokesperson.

6. Legislative update: Ms. Block reviewed several proposals currently before the Legislature:
 1. Ordering of Forensic Competency Examinations to Community Hospital Psychiatric Units: this proposal was brought forth by the Department of Health to expedite the reduction of the VSH census. Presently, judges can order either outpatient or inpatient examinations; all of the latter take place at VSH. Dr. Weker testified before the House Human Services Committee on behalf of the VPA, expressing support for the concept behind the proposal but outlining concerns that the proposal did not adequately assure clinical input into proposed defendant admissions or transfers to community hospitals. Some members of the Committee strongly expressed their displeasure about the late submission of this proposal and the one-day deadline to act upon it (the latter provision was later revised).
 2. Civil Commitment of Sexual/Violent Predators: This bill would enable the “civil commitment” of offenders who have undefined “mental abnormalities” or personality disorders to facilities for treatment. Based on the vigorous opposition to this concept expressed by members at the VPA meeting in April, Dr. Weker testified on behalf of the VPA in opposition to the bill. Subsequent press reports have alternately indicated the unlikelihood of this measure moving forward and ongoing efforts by its proponents to have it enacted. The Executive Committee is presently in the process of drafting an op-ed

piece for submission to Vermont newspapers.

3. **Medicaid Appropriations:** Dr. McMains explained that this bill deals with medication coverage for the SPMI population and Medicare Part D benefits (i.e., disabled individuals who are dually covered by Medicare and Medicaid). Rep. Anne Donahue put in safeguards into the language of the bill that the House passed, e.g., that if the physician believes that a medication change would destabilize and endanger the patient, continuation of that medication would be authorized. The bill is now before the Senate.

Ms. Mongan reported that the Senate Appropriations Committee reduced the reduction of physician payments by a significant percentage, to \$1.75 million from what was originally proposed as a \$5.5 million reduction by the Gov. Sens. Sears of Bennington County and Kitchel of Caledonia County spearheaded this effort.

Ms. Mongan also reported that the FY 2006 appropriations bill calls upon the Drug Utilization Review Board and the Office of Vermont Health Access (OVHA) to submit a report in September 2005 making recommendations to the legislative Mental Health Oversight Committee about appropriate management of those psychotropic drugs on the preferred drug list and “grandfathering” approval of medicines for patients who would be at risk of destabilization were their drugs to be changed. The bill authorizes OVHA to then repeal the exemption from prior authorization for drugs for SPMI patients.

New Business:

7. **Amicus Brief in a Disbanded Civil Union Child Custody Case:** Dr. Fassler reported, due to the VPA’s previous amicus brief in the case that led to Vermont’s civil union law, that the VPA has been approached about filing an amicus brief in a case addressing the custody/visitation rights of the non-biological parent of a child of a couple whose civil union disbanded. The Executive Committee expressed interest in exploring this possibility by soliciting input from the VPA membership at large. When more details are available, the discussion will be introduced on the VPA listserv.
8. **Suicide Prevention Plan:** Dr. McMains reported on the imminent release of a statewide suicide prevention plan by the Department of Health. The plan is a “platform” that brings out approaches and strategies that, if implemented, are likely to be helpful in achieving ten goals for reducing suicide across the life spectrum.
9. **Deputy Health Commissioner Search Process:** Dr. McMains briefly gave an update of this process.

The meeting was adjourned.

Respectfully submitted,
Jonathan L. Weker, M.D.

The next VPA Executive Committee will be held on Friday, June 17 at the Vermont Medical Society, 134 Main Street, Montpelier. VPA members may attend even if they are not members of the Executive Committee and are cordially invited to do so.