



PRESIDENT'S LETTER



*Dr. David Taylor
President & Chairman*

Dear NJPCAC Member:

Two things happened this summer which made me grateful that we decided more than five years ago to take the initiative and form the New Jersey Patient Care and Access Coalition to protect our patients' ability to continue receiving the highest quality urologic care in our integrated group practices.

In July, I had the opportunity to spend some time with our dynamic and inspiring Governor, Chris Christie. Representing the New Jersey Patient Care and

Access Political Action Committee (NJPCA-PAC) at a very exclusive event in Morris County, I was honored to speak to the Governor on behalf of our membership. I want to thank you for continuing to support the PAC and let you know what an integral part it plays in helping our friends and providing access to public policy makers.

In this small and relatively informal gathering at a private home in Morris County, there was plenty of opportunity for interaction directly with the Governor. In fact, during one part of the event when we were invited to ask questions of the Governor, I was one of only four attendees who actually asked a question - and I asked two!

The second thing that happened this summer was the publication of a report by the Government Accountability Office (GAO) regarding utilization of intensity-modulated radiation therapy (IMRT) services for treatment of prostate cancer by single-specialty group practices such as

our integrated urology groups. The GAO Report has been used in the last month by those who had historical monopolies over radiation therapy to try and reestablish a monopoly for themselves over this form of cancer treatment. While most of those efforts have taken place in Washington D.C., including the introduction of legislation that would eliminate in-office ancillary services protection under the federal Stark law for radiation therapy, pathology and advanced imaging services, we even saw the beginnings of a similar push right here in our backyard. I am sure many of you saw the outrageous editorial by the Star Ledger calling doctors who treat cancer patients "bums" who use their patients as "cash machines."

Our Coalition, of course, immediately activated to protect our integrated cancer care model here in New Jersey.

(Continued on page 2)

The New Jersey Patient Care and Access Coalition (NJPCAC) promotes and represents the common interests of urological care physicians in the State of New Jersey who are dedicated to the highest standards of practice and focuses on addressing the challenges that confront our healthcare system. NJPCAC's membership includes nearly 200 practicing urologists and scores of additional healthcare professionals, including radiation oncologists, pathologists, nurses and administrative staff, who have come together to educate policy makers, regulators, insurers and other key stakeholders, including patients and peers about regulatory changes that will adversely affect the quality and accessibility to care provided to patients in New Jersey and those that will advance care in New Jersey. NJPCAC promotes and pursues educational, legislative and regulatory interests that are common to these urological care physicians and the advancement of patient care and access in the State of New Jersey.



President's Letter (continued)

We provided each of our member practices with an analysis and summary of the report, showing the flaws in certain aspects of the GAO Report and, most importantly, identifying the data presented in the Report that makes a compelling case for preserving our integrated cancer care model. In just a matter of weeks, we were able to arrange meetings with key legislators and New Jersey health policy experts.

And within days of a late August Ledger editorial, we provided the editors with a comprehensive response in the form of a letter

to the editor which they asked us to shorten to less than 200 words. Our shortened letter was published on September 4th.

It has been a busy and active summer, but I am grateful we were prepared for what hit us.

Sincerely,



Dr. David Taylor
President & Chairman

Legislation to Address Lithotripsy Ownership Issue Advances

The New Jersey Patient Care and Access Coalition has been successful in having legislation introduced in both the Senate and Assembly to amend the state's "Codey Act" and allow for new ownership in lithotripsy-only ventures in New Jersey in the same way that such new ownership is permitted by ambulatory surgery centers that furnish lithotripsy.

In the Senate, S2779, which "Allows practitioner with financial interest in health care service providing lithotripsy to refer patients to that health care service if certain conditions are met", is sponsored by the Chairman of the Senate Health, Human Services and Senior Citizens Senator Joe Vitale and the author of the Codey Act, former Governor (Senator) Richard Codey.

On June 3rd, the Senate Health Committee met and unanimously approved S2779 by a vote of 10-0. The bill now awaits a vote by the full Senate.

In the Assembly, an identical bill (A4222) was introduced by Assembly Health and Senior Services Committee Chairman Herb Conaway. The bill awaits a committee vote in the Assembly.

NJPCAC is hopeful that this important legislation can be passed in both houses and signed into law before the end of the current legislative session this January.



NJPCAC Holds Second Annual State House Day in Trenton on June 24th



For the second year, New Jersey Patient Care and Access members greeted and educated legislators and staff at a “State House Day” in Trenton on June 24th. Attending with our State Affairs Lobbyist Donald Sico were President and Chairman David Taylor and NJPCAC Board Members Steve Orland and Alan Plotkin.

A special educational display at the State House in Trenton as part of the month’s activities to promote “Prostate Cancer Awareness Month” enabled us to display and distribute special promotional materials to make State House employees and visitors aware of the dangers of undetected prostate cancer.

The NJPCAC team was able to briefly meet with dozens of legislators and staffers and discuss issues critical to the coalition. **See page 4 for more photos of the day.**



Dr. Taylor and Assemblyman Angel Fuentes



*Board members Steve Orland and Alan Plotkin
with Assemblyman David Wolfe (middle)*



Senator Barbara Buono with Alan Plotkin



Senator Nia Gill and Dr. Taylor



Dr. Taylor and Senator Donald Norcross



Dr. Taylor with Senate Republican Leader Tom Kean Jr.



L to R: Steve Orland, Senator Jim Whelan, Dr. Taylor



Dr. Taylor speaks with Senator Diane Allen



Dr. Taylor with Senator Dick Codey

Assembly Speaker Sheila Oliver Visits Stone Center; Discusses Health Issues

On June 12, Assembly Speaker Sheila Oliver toured The Stone Center. The Speaker is the fourth most powerful elected official in the State of New Jersey, behind the Governor, Lt. Governor and the Senate President.

Speaker Oliver was most gracious and gave the NJPCAC and Stone Center team more than an hour of her time. Among those attending were NJPCAC President and Chairman, Dr. David Taylor, Stone Center Chief Operating Officer and NJPCAC Board Member Mary Beth Guilbert, NJPCAC Treasurer and Stone Center Chairman Pat Ciccone, Stone Center Chief Financial Officer Kelly Snyder and State Affairs Lobbyist Donald Sico.

Speaker Oliver went on a full tour of The Stone Center's facility located on the campus of the University of Medicine and Dentistry of New Jersey (UMDNJ) in Newark. The Speaker asked many questions about the Center. Speaker Oliver was fully briefed on the lithotripsy ownership issue and the progress of legislation (see separate article "Legislation to Address Lithotripsy Ownership Issue Advances").

The NJPCAC and Stone Center teams both thought the visit was a very good one and worthwhile. Everyone felt that we built a stronger relationship with Speaker Oliver and that should we need her assistance on an issue at some point in the future, we would have access to her.



L to R: Pat Ciccone, Speaker Oliver, Mary Beth Guilbert, Dr. Taylor, Kelly Snyder



Speaker Oliver with Dr. Pat Ciccone of NJ Urology



Dr. Ciccone makes a point to the group



Mary Beth Guilbert listens as Dr. Taylor and Speaker Oliver converse

7th District Assemblyman Troy Singleton Tours DVU Cancer Center

Assemblyman Troy Singleton, who represents Beverly, Bordentown, Burlington, Cinnaminson, Delanco, Delran, Edgewater Park, Fieldsboro, Florence, Moorestown, Mount Laurel, Palmyra, Riverside, Riverton and Willingboro, toured the Delaware Valley Urology Cancer Treatment Center in Cherry Hill on May 15th. Assemblyman Singleton serves on the powerful Assembly Budget Committee as well as the Education and Commerce and Economic Development Committees. Assemblyman Singleton is a strong advocate for men's health issues, particularly early prostate cancer detection.



Richard Lynch, Chief Radiation Therapist, shows Assemblyman Singleton the Varian IX Linear Accelerator



At left: Dr. Mark Fallick talks with Assemblyman Singleton about the CT Simulator

NJPCA PAC Hosts Top Republican Leaders



The New Jersey Patient Care and Access Political Action Committee hosted Senate Republican Leader Tom Kean Jr. and Assembly Republican Leader Jon Bramnick at a breakfast at the Westfield Diner on August 2nd. We enjoyed a full discussion of issues affecting our Coalition in the Garden State.

Attending were (from left): NJPCAC Board Member Ben Fand, Assembly Republican Leader Jon Bramnick, NJPCAC President and Chairman David Taylor, NJPCAC Board Member Mary Beth Guilbert, Senate Republican Leader Tom Kean Jr. and Domenico Savatta.

What the Star Ledger Did Not Want Its Readers to Know

Below is the full text of a letter to the editor submitted to and acknowledged by the editors of the Star Ledger in Newark just days following an unfair attack on urologists in which the Ledger characterized doctors who treat cancer patients as “bums.” You can read the Ledger editorial here: http://blog.nj.com/njv_editorial_page/2013/08/post_82.html

Here is our unpublished response:

Dear Editor:

In its editorial “Rx for Faulty Advice,” The Ledger failed to do its homework regarding a report by the U.S. Government Accountability Office concerning intensity-modulated radiation therapy (IMRT) for treatment of prostate cancer. As a urologist who has been caring for men with prostate cancer for nearly 30 years, I found The Ledger’s tone (referring to doctors who treat cancer patients as “bums”) offensive. More importantly, the editorial did a disservice to men battling this disease.

The Ledger ignored the real story. GAO found that utilization of IMRT to treat prostate cancer actually decreased after 2007. More patients are choosing to be treated at urology groups’ specialized cancer centers that focus on treating men with prostate cancer. Not surprisingly, GAO found the increase in IMRT performed by these medical groups “coincided with declines in these services” in hospitals and free-standing radiation centers that treat patients with all types of cancer. What we are seeing is a shift in where patients are choosing to receive their treatment.

And this shift is resulting in lower costs. GAO found that after 2007, even with a significant shift in patients away from hospitals and to physicians’

offices, prostate cancer-related IMRT costs in physicians’ offices decreased by \$28 million while prostate IMRT expenditures in hospitals increased by \$8 million. The reason is simple—reimbursement rates for IMRT have been increasing for services performed in hospital outpatient departments and declining for those performed in physician offices.

The Ledger wrongly claims that doctors “changed their behavior” when they brought IMRT into their practices. Instead, patients now have the ability to consult with urologists and radiation oncologists in a single medical practice about the full range of treatment options. A peer-reviewed study of more than 80,000 Medicare patients with prostate cancer cited by GAO showed that more than 80% of the patients who met with a urologist and a radiation oncologist chose less invasive and highly effective radiation therapy as their form of treatment.

Finally, The Ledger was quick to slam doctors, but did not even bother to look at New Jersey law. If it had, it would have learned that New Jersey’s Codey Act already requires the financial disclosures with respect to ownership of IMRT that GAO recommended Congress adopt at the federal level.

Men battling prostate cancer in our State, along with their families, deserved a more thoughtful commentary from The Ledger.

Sincerely,

Dr. David L. Taylor

** A much shorter version of our letter was published on September 4th and can be found here: http://blog.nj.com/ledgerletters/2013/09/letters_prostate_cancer_syria.html*



Advocacy Update

By Donald Sico, Donald Sico & Co. LLC

Summers are supposed to be slow in Trenton, particularly in election years. Following the passage of the constitutionally mandated state budget in late June, legislative leaders generally retire to the shore for July and August or spend time in their districts meeting voters and campaigning for reelection.

But the summer of 2013 was anything but sluggish in New Jersey! In addition to some committee meetings scheduled by both the Assembly and Senate, the Senate held three rare voting sessions during the summer months.

A gubernatorial election, two special elections for the United States Senate seat vacated by longtime Senator Frank Lautenberg (see tribute article), and all 120 Assembly and Senate seats up for grabs pretty much guaranteed a more

active July and August than usual. But we could not have predicted that NJPCAC would be so active during summer's dog days of July and August.

Following a very successful Second Annual "State House Day" in Trenton in late June at which we were able to buttonhole dozens of legislators and staff, both NJPCA PAC and NJPCAC were quite busy.

We kicked into high gear following the release of a GAO report out of Washington which unfairly and inaccurately cast suspicion on urologists. We wanted to make sure that public policy makers understood the shortcomings of the report and the real facts regarding IMRT utilization in New Jersey.

We need to be prepared for the months ahead, however. This summer's activity will pale in comparison to what is expected to be a "fast and furious" post-election or "lame duck" session. NJPCAC will have to keep its eyes and ears open to mischief while working to advance our important legislative initiatives, most importantly, the lithotripsy legislation.

Just as the release of the GAO report required an "all hands on deck" approach to advocacy this August, I expect it will be the same in November and December. I will keep you posted.



New Jersey Loses a Tireless Advocate

NJPCAC notes with sadness the passing of longtime United States Senator and staunch healthcare advocate Frank R. Lautenberg, who represented New Jersey in the Senate from 1982 until his death on June 3, 2013 at age 89 from viral pneumonia.

Frank Lautenberg was born in Paterson, NJ to immigrant parents. He served in World War II and was the last serving WWII veteran in the Senate at the time of his death. Before becoming a Senator, Lautenberg served as commissioner of the Port Authority of New York and New Jersey.

In 1982, Lautenberg was elected to the Senate and served until 2001. Following a brief retirement, Lautenberg was reelected and held the position from 2003 to 2013.

Lautenberg was instrumental in getting anti-smoking and national drinking age minimum laws passed. In recent years, he fought for stronger gun control.

“He improved the lives of countless Americans with his commitment to our nation's health and safety, from improving our public transportation to protecting citizens from gun violence to ensuring that members of our military and their families get the care they deserve,” said President Barack Obama in a statement.

NJPCAC extends its thoughts, prayers and condolences to Senator Lautenberg’s family and staff.



*Frank R. Lautenberg
(1924 – 2013)*

Calling All New Jersey Urologists

We are always looking to expand the New Jersey Patient Care and Access Coalition because we understand there is “strength in numbers.” We recently completed a mailing to every urologist in the State of New Jersey and asked them to join our growing Coalition. If you know of a colleague who is not a member, please invite him or her to join and to take a look at our [webpage](http://www.njpcac.org) (www.njpcac.org) for additional information. There is also a membership application form on the webpage they can use to contact us if they want to join.

New Jersey Patient Care and Access Coalition

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