

**NYS PA EXECUTIVE COMMITTEE MEETING
Conference Call
January 19, 2021**

8:00 P.M.

- 1. December 15, 2020 Minutes**
- 2. Financial Statement**
- 3. Dues Comparison Statement**
- 4. PAC Financial Statement**
- 5. Albany Report**
- 6. NYS Division of Human Rights Complaint**
- 7. January 15, 2021 MSSNY E-News Article**
- 8. Spring Area Council Meeting Date**



New York State Psychiatric Association, Inc.

Area II Council of the American Psychiatric Association
400 Garden City Plaza, Garden City, New York 11530 • (516) 542-0077

MINUTES OF THE MEETING OF THE EXECUTIVE COMMITTEE December 15, 2020 Meeting by Conference Call

PRESENT:

JEFFREY A. BORENSTEIN, M.D., President
EDWARD HERMAN, M.D., Vice President
MARVIN KOSS, M.D., Secretary
JOSE VITO, M.D., Treasurer
JEFFREY FREEDMAN, M.D., Chair, Public Affairs
GLENN MARTIN, M.D., Chair, Legislation
JAMES NININGER, M.D., Chair, Membership
RICHARD GALLO, M.D., Legislative Consultant
KARIN CARREAU, MSW, Legislative Consultant
JAMIE PAPAPETROS, Legislative Staff
SETH P. STEIN, ESQ., Executive Director
RACHEL FERNBACH, ESQ., Deputy Director
DONNA GAJDA, Coordinator

Dr. Borenstein called the meeting to order. The following issues were discussed:

1. Minutes. The minutes for the September 22, 2020 Executive Committee meeting were reviewed and accepted.
2. Financial Report. The Committee reviewed a financial statement for the period January through November, 2020. Mr. Stein reported that although dues revenue appears to be improving, it is still too soon to get a full picture.
3. 2019 Independent Auditor's Report. The Committee reviewed an Independent Auditors Report for the year 2019. Mr. Stein reminded the Committee that the audit is a requirement of the OMH Veterans Grant, therefore, audit costs are a grant expense. Mr. Stein stated that if any questions arise about the report following the meeting, members should feel free to contact him directly.
4. Dues Comparison Statement. The Committee reviewed a dues comparison statement for the months of October and November for the years 2012 through 2020. Mr. Stein reported that although revenue from the 2020 dues increase has been lower than anticipated, dues collections have increased somewhat.
5. PAC Financial Statement. The Committee reviewed a PAC financial statement for the period January through November, 2020. Mr. Stein reported that the number of contributors were lower than the previous year and suggested that we contact DB's and ask them to consider inviting us

to a virtual meeting to give us an opportunity to promote the PAC. Dr. Borenstein suggested reaching out to members who have not recently contributed but have contributed in the past to ask them whether they would consider doing so.

6. Albany Report. In addition to the written Albany Report that was included in the meeting packet, Mr. Gallo reported on the following:

Mr. Gallo welcomed Karin Carreau, MSW to the meeting. Ms. Carreau will begin working with the legislative team beginning January 1, 2021.

Mr. Gallo gave an overview of the recent election results and the 2020 Legislation Session.

Mr. Gallo reported on various bills that were acted on by the Governor including: a bill to authorize NYC Board of Corrections access to medical and psychiatric records of deceased inmates; a bill requiring the Commissioner of Health to appoint a work group to conduct a thorough review of the accessibility and fairness of the New York State Grant Gateway for individual applications for funds under the physician loan repayment and physician practice support programs; a bill that would establish a Frontline Workers Trauma Informed Care Advisory Council within OMH. Ms. Carreau suggested that the Committee recommend someone to serve on the Council.

Mr. Gallo reported on the following two bills that were delivered to the Governor on December 11th.

Bill A5240-A/S6479 would require all publicly accessible bathrooms that are all single occupancy bathrooms to be designated as gender neutral. Mr. Gallo reported that Dr. Dowling asked if NYSPA would submit a letter in support of the bill. The Committee asked Mr. Gallo to investigate whether anyone is opposing this bill.

Bill A10500-C/S8450-C requires all contact tracing information be kept confidential and not be disclosed except as necessary to carry out contact tracing.

Mr. Gallo reported on an Assembly bill which would authorize pharmacists to administer injectable medications used in care and treatment of mental health and substance use disorders. The Committee discussed concerns related to the bill. Mr. Gallo will circulate the bill to the Committee members for further review and comments.

Mr. Gallo updated the Committee on NYSPA's Veterans Mental Health-Primary Care Training Initiative. Mr. Gallo reported that NYSPA held a joint virtual conference with MSSNY and NASW on Saturday, December 5, 2020. Dr. Joe Geraci was the keynote speaker and Dr. Marianne Goodman, Dr. Gretchen Foley, Senator David Carlucci, Mr. John Brooks and Ms. Aileen Gunther served as panelists.

Mr. Gallo reported that NYSPA submitted a recommendation letter in response to proposed regulations from the Department of Financial Services and Department of Health requiring insurers and health plans to establish parity compliance programs.

7. Spring 2021 NYSPA/Area II Council Meeting. The Committee discussed possible dates for the Spring NYSPA/Area II Council meeting.

8. ECP Dep Rep. Ms. Gajda reported the current ECP Rep will be completing her term of office in May 2021. Drs. Zaveri and Abraham, NYPA's current ECP Rep and Dep Rep, would like to increase election participation by inviting all ECPs to vote through a statewide, virtual election. The Committee had no objection to a statewide election being held.

9. Task Force on Structural Racism. Dr. Borenstein reported that a number of people have expressed interest in serving on the newly formed Task Force on Structural Racism. Dr. Borenstein stated that Dr. Ashley has agreed to chair this Task Force and is working on finding a co-chair.

10. APA Board Meeting Update. The APA Board of Trustees met virtually on December 12-13, 2020. Dr. Martin summarized the meeting and will follow up with a written report of Board Actions for the Committee's review.

There being no further business, the meeting was adjourned.

**New York State Psychiatric Association
Financial Statement**

	Restricted Jan-Dec, 2020	Unrestricted Jan-Dec, 2020	Restricted Jan-Dec, 2019	Unrestricted Jan-Dec, 2019	Restricted Jan-Dec, 2018	Unrestricted Jan-Dec, 2018
Opening Fund Balance	233,536.05	166,005.56	208,075.24	218,664.58	231,282.24	228,729.84
Income						
Dues						
Prior Years				510.02		
Immediate Prior Year		4,031.31		7,656.57		6,897.50
Current Year		279,523.14		287,425.39		316,514.35
Following Year		94,418.32		80,220.00		87,248.61
Total Dues		377,972.77		375,811.98		410,660.46
Veterans Grant Income	150,000.00		150,000.00			
APA Meeting Block Grant		30,650.00		30,650.00		30,650.00
APA Expedited Grant		2,884.62		2,777.78		2,830.18
APA, Inc. Meeting Grant				3,995.00		7,191.00
DrFirst Income		12,600.00				10,000.00
PRMS Sponsorship		25,000.00		25,000.00		25,000.00
Webinar Income		1,497.00				1,250.00
Administrative Fees from Grant		6,914.02		16,244.24		3,027.00
Miscellaneous Income		400.00		425.00		1,875.33
Interest		663.07		2,670.38		957.91
Total	150,000.00	458,581.48	150,000.00	457,574.38	0.00	493,441.88
Grant Expenses						
Accounting/Audit	10,500.00		9,500.00			
Gallo	17,400.40		20,472.22		13,819.00	
Program Expenses	29,716.47		78,322.73		6,361.00	
Administrative Fees	6,914.02		16,244.24		3,027.00	
Expenses						
Advocacy Day Expenses				250.00		
APA Innovative Grant Expenses						3,707.52
Awards						967.99
Committees		300.00		378.63		
Officers/Delegates		249.28		445.25		1,718.95
Email Expenses		1,384.92		1,343.53		
Exec Dir/Legal/Central Office		300,000.00		309,999.96		304,999.92
Insurance		2,683.86		2,603.13		2,656.11
Journal Ads		0.00		3,450.00		
Legislative		144,999.96		148,594.63		146,719.81
Meeting Expenses		8,808.29		32,452.59		34,745.42
RFM Scientific Paper Contest		0.00		1,016.61		929.31
RFM Poster Contest		450.00		523.36		488.19
Webinar Expenses		0.00		1,880.70		1,836.16
Website		3,121.12		5,391.92		3,765.67
Internal Revenue Service (for 990T)		0.00				26.00
NY State Corporation Tax		250.00		250.00		
NYAM Joint Program Expense		0.00		1,000.00		
Miscellaneous		810.62		653.09		946.09
Total Expenses	64,530.89	463,058.05	124,539.19	510,233.40	23,207.00	503,507.14
Surplus	85,469.11	-4,476.57	25,460.81	-52,659.02	-23,207.00	-10,065.26
Fund Balance	319,005.16	161,528.99	233,536.05	166,005.56	208,075.24	218,664.58

Dues Income	October	November	December	End of Year Total	January	Total through January
2010-2011	14,605	91,371	44,838	150,815	69,101	219,916
2011-2012	15,190	83,220	41,693	140,103	70,981	211,084
2012-2013	14,636	74,259	38,841	127,736	72,562	200,298
2013-2014	11,924	75,397	41,955	129,275	85,030	214,306
2014-2015	21,960	67,357	41,233	130,550	69,710	200,260
2015-2016	21,045	73,868	41,805	136,718	104,297	241,014
2016-2017	16,326	72,458	39,113	127,896	102,690	230,586
2017-2018	6,625	26,321	62,881	95,828	133,834	229,662
2018-2019	11,452	39,282	52,916	103,650	103,593	207,244
2019-2020	6,294	55,190	46,407	107,891	114,895	222,786
2020-2021	11,354	60,216	44,327	115,897	100,965	216,863

New York State Psychiatric Political Action Committee, Inc.
Financial Statement

	Jan-Dec, 2020	Jan-Dec, 2019	Jan-Dec, 2018
Opening Balance	5,097.94	5,368.92	8,221.60
Receipts			
Contributions	17,125.00	25,310.00	25,459.50
APA Contributions	1,160.00	1,665.00	715.00
Total Contributions	18,285.00	26,975.00	26,174.50
Disbursements			
Cuomo 2018		2,500.00	2,500.00
Citizens for Hannon			1,000.00
NYS Senate Republican Campaign Committee	500.00	1,000.00	5,200.00
Democratic Senate Campaign Committee	4,500.00	4,500.00	2,500.00
Democratic Assembly Campaign Committee	2,000.00	2,000.00	3,000.00
Republican Assembly Campaign Committee	500.00	500.00	500.00
Friends of Andrea Stewart-Cousins	1,000.00	2,000.00	1,000.00
Friends of Toby Ann Stavisky	1,000.00	1,000.00	300.00
Citizens Committee to Re-Elect Ken LaValle		250.00	1,000.00
Latimer for Senate			
Friends of Patricia Fahy	350.00	250.00	250.00
New Yorkers on the Ball			500.00
Friends of Senator Seward			
David Carlucci for New York		2,000.00	350.00
Friends of David Weprin	300.00	250.00	250.00
Cathy Young for Senate			500.00
Friends of Tom Croci			
Friends of John Flanagan		500.00	1,600.00
George Amedore for Senate		300.00	250.00
Boyle for Senate			
Rob Ortt for State Senate		500.00	1,750.00
New Yorkers for Savino	500.00	500.00	500.00
McDonald for Assembly		400.00	250.00
Jeff Klein Excelsior			750.00
Friends of Marco Crespo		500.00	500.00
Committee to Elect Aileen Gunther		500.00	500.00
Sepulveda for Senate	500.00	500.00	
Gustavo Rivera for State Senate	1,000.00	1,000.00	
Friends of Senator Breslin	500.00	500.00	
Fred Akshar for our Future			350.00
Friends of Dick Gottfried	500.00	500.00	500.00
Friends of Crystal People-Stokes		750.00	
Citizens for Lentol		500.00	500.00
Santabarbara for Assembly	300.00	300.00	
Friends of Abinanti	350.00	250.00	250.00
Pete Harkham for Senate	500.00	500.00	
Shelley Mayer for Senate	250.00		
Maritza Davila for Assembly	500.00		
Friends of Carl E. Heastie	500.00	1,000.00	1,000.00
Friends of Senator John Brooks	750.00	500.00	
Total Donations	16,300.00	25,750.00	27,550.00
Bank Fees	1,791.00	1,495.98	1,477.18
Total Disbursements	18,091.00	27,245.98	29,027.18
Fund Balance	5,291.94	5,097.94	5,368.92
Total Number of Contributors	125	175	159

From MSSNY eNews 1/15/21:

MSSNY Raises Serious Objections with Proposal to Take Away Due Process for Physicians

MSSNY President Dr. Bonnie Litvack raised significant concerns with a 2021 proposal announced by the Governor this past Sunday that appears to be very similar to last year's proposal to significantly reduce essential due process protections for physicians against whom a complaint has been filed with the Office of Professional Medical Conduct (OPMC). That proposal would have permitted the Commissioner of Health to publicly release information about a physician against whom a complaint has been filed with OPMC prior to the conclusion of a disciplinary proceeding despite the fact that very few complaints result in actual findings of misconduct.

It would also give huge new powers to the Commissioner to "summarily suspend" a physician from medical practice prior to the conclusion of an investigation and disciplinary hearing. These proposals were advanced in the 2020-21 Executive Budget but were rejected by the State Legislature in the final enacted State Budget.

Dr. Litvack's statement noted that "It is stunning that after a year of physicians working on the front lines in every region of the State responding to the pandemic – in which many physicians themselves became very sick and some even passed away – that they are again faced with the proposal to eliminate essential due process rights when a complaint has been filed against them with the Office of Professional Medical Conduct. When a similar proposal was advanced last year in the Executive Budget, we highlighted that very few complaints filed with the disciplinary board (roughly 2-3%) actually result in a disciplinary action.

"We remain committed to working with the Governor and the New York State Department of Health to protect our patients through maintaining a strong disciplinary process and addressing identified gaps. However, we remain extremely concerned with overbroad measures that hold serious potential to unfairly destroy a physician's career through the release of allegations that have not been proven yet could remain easily "searchable" on the internet forever." **(AUSTER)**