

**IMPAC**  
**Illinois State Medical Society**  
**Political Action Committee**  
**2012 Legislative Primary Election**  
**Candidate Questionnaire**

Dear Candidate:

Our member physicians and their families are vitally interested in the views of candidates who hope to make the important decisions that will shape our future health care system.

This questionnaire is designed to address key questions regarding issues important to Illinois physicians. Our positions and actions on legislative initiatives are designed to improve the practice of medicine, enhance patient safety and increase access to quality care.

**Please return this questionnaire by Friday, January 6, 2012, to IMPAC, 20 N. Michigan Avenue, Suite 700, Chicago, IL 60602 or fax it to (312) 782-2023.** If you have additional comments regarding any of these questions, please attach a separate sheet.

Should you have any questions, please contact Alison Burnett at (312) 580-2450 or Erin O'Brien at (312) 580-6488. We look forward to working with you.

Position papers addressing issues included on this questionnaire and other topics that impact the practice of medicine can be found on the ISMS Legislative Action Hub at <http://www.isms.org/govtaffairs/hub/Pages/default.aspx>.

Jere E. Freidheim, M.D.  
Chairman, IMPAC

**CANDIDATE NAME:** \_\_\_\_\_

**OFFICE BEING SOUGHT:** \_\_\_\_\_ **DISTRICT:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

\_\_\_\_\_  
**PHONE#:** \_\_\_\_\_ **FAX#** \_\_\_\_\_

**E-MAIL:** \_\_\_\_\_ **WEBSITE:** \_\_\_\_\_

**DO YOU HAVE RELATIVES WHO ARE PHYSICIANS? (If so, please provide names and relationship):** \_\_\_\_\_

\_\_\_\_\_



**C. Do you support or oppose legislation transferring funds from the Medical Disciplinary Fund to the General Revenue Fund?**

**SUPPORT**

**OPPOSE**

**D. Do you support a ten year extension of the sunset of the Medical Practice Act (consistent with other licensure acts) rather than the one or two year extensions that have been granted since 2005?**

**SUPPORT**

**OPPOSE**

3. The 2005 Medical Liability Reform Act included a \$500,000 cap on noneconomic damages; increased professional requirements for the existing expert witness standards; improvements to the current certificate of merit required to file a lawsuit; and many changes to the Medical Practice Act to improve physician discipline. In February 2010, the Illinois Supreme Court ruled that only the caps on noneconomic damages were unconstitutional. However, because of the inseverability clause included in the Act, the court voided the entire law. In previous rulings the court approved laws establishing expert witness standards and requirements for certificates of merit. Since the court's 2010 ruling, the physician discipline components of the 2005 legislation have been re-enacted along with physician profiling that was also a part of the legislation.

**Now that the medical discipline and physician profiling components of the 2005 Medical Liability Reform Act have been re-enacted, do you support or oppose re-enacting the provisions relating to expert witness standards and the certificate of merit?**

**SUPPORT**

**OPPOSE**

4. HB 3166 is an initiative supported by physicians to create special health courts in Illinois to consider claims of medical negligence. The bill establishes the Illinois Health Courts Commission and provides that the Commission shall adopt rules to create an alternative dispute resolution method that provides: (1) After the occurrence of an adverse health care event, the health care professional or physician involved must notify the patient or the patient's family; (2) within 30 days after the discovery of the adverse event, that the patient has a right to seek compensation; (3) the health care professional or physician must notify the health court commission of the claim and provide a compensability determination to the patient within 60 days; (4) if the event is compensable, the health care professional or provider must make an offer based upon a schedule of damages created by the Commission by rule; (5) a patient may appeal that compensation decision to the Commission; (6) the patient may appeal a decision to not compensate the patient for the claim, which is reviewed by an arbitrator, de novo, at a hearing at which the health care professional or provider and the patient may present evidence, including expert testimony; and (7) the arbitrator's decision may be appealed to the appellate court.

**Do you support or oppose the creation of health courts in Illinois for resolving medical liability claims?**

**SUPPORT**

**OPPOSE**

5. The Illinois General Assembly has repeatedly rejected proposals to license naturopaths in Illinois. Yet, they continue to push for licensure through the Illinois Department of Professional Regulation. There is no comparison in the training of a physician and that of a naturopath. These individuals, who are not medically trained, want to act as primary care physicians, prescribe drugs, provide obstetrical care and perform “minor office procedures.”

**Do you support or oppose licensure of naturopaths?**

**SUPPORT**

**OPPOSE**

6. Currently, individuals who want to practice midwifery in Illinois can become advanced practice nurses certified as nurse midwives and work under a collaborative agreement with a physician or be credentialed and granted appropriate hospital staff privileges.

Illinois does not license independent “certified” midwives. House Bill 226 and Senate Bill 385 were introduced in the Illinois legislature to license these independent midwives to provide unsupervised prenatal, delivery, post-partum, and pediatric care – including the administration of prescription drugs and the performance of surgical procedures like episiotomies – without requiring the education and training required of certified nurse midwives.

The education requirements for nurse midwives, which far exceed those required of certified midwives, protects patient safety. Additionally, the pending legislation does not require certified professional midwives to have a collaborative agreement with a physician or be credentialed by a hospital.

Physicians believe that licensure of independent “certified” midwives is a step backward in patient safety as it would allow the least trained individual to independently provide one of the most critical services to women in Illinois.

**Do you support or oppose licensing these independent midwives?**

**SUPPORT**

**OPPOSE**

7. Physicians consider physical therapists essential in providing specific treatments for conditions of the musculoskeletal system. Current Illinois law dictates that patients must be seen by a physician first and referred to a physical therapist before a physical therapist treats a patient. Physical therapists want to remove this referral process and be able to treat patients before a physician diagnoses them. Please note that physical therapists are

not able to order tests nor are they trained to read x-rays or other diagnostic procedures. Physical therapists are also not permitted to prescribe drugs.

**Do you support or oppose removing the referral process from physical therapy treatment and allow patients to be treated without first receiving a medical diagnosis by a physician?**

**SUPPORT**

**OPPOSE**

8. Only physicians, usually those specializing in psychiatry, can prescribe medication to treat mental illness. Psychiatrists are medically trained physicians who have the education and experience to manage a patient's use of prescription drugs, which include powerful psychotropic medications. Psychologists, who are non-physicians and are not medically trained, want to be able to prescribe drugs for patients.

**Do you support or oppose granting prescriptive authority to psychologists?**

**SUPPORT**

**OPPOSE**

9. The Illinois Health Benefits Exchange Study Committee recently concluded a series of hearings to examine how to best establish a Health Benefits Exchange. Physicians believe the overriding goal of the exchange should be to foster fair competition among insurers so that individuals have a wide range of options that fit their individual preferences based on consistent information that allows plan comparison.

Physicians support a public/private entity that would give the exchange flexibility while allowing the state to retain oversight. Regardless of the specific governance structure, physicians believe it is imperative that a private practice physician be included in the governance structure and governing board along with broad representation of other key stakeholders.

**A. Do you support or oppose having a private practice physician on the governing board?**

**SUPPORT**

**OPPOSE**

Additionally, the funding of the Health Benefits Exchange is a concern. Many Illinois licensed physicians are retired, live out-of-state, are employed by hospitals, or choose to work in fields that don't involve the delivery of health care. For this and other reasons, physicians believe that it is inappropriate to fund the exchange through an assessment on physicians.

**B. Do you support or oppose having the exchange funded by an assessment on physicians?**

**SUPPORT**

**OPPOSE**

10. Recent reforms to the Illinois' Medicaid program greatly expand mandatory managed care. Organized medicine believes that managed care companies contracting with the state should meet specific criteria and be accredited by the National Committee for Quality Assurance (NCQA).

NCQA Health Plan Accreditation helps employers and consumers distinguish between health plans based on quality and value. Accreditation uses a unified set of standards for health maintenance organizations (HMOs), managed care organizations (MCOs), preferred provider organizations (PPOs) and point of service (POS) plans.

Accreditation evaluates not only the core systems and processes that make up a health plan, but also the actual results that the plan achieves on key dimensions of care, service and efficiency. A rigorous survey process involves onsite and offsite evaluations conducted by a survey team of physicians and managed care experts.

**Do you support legislation that requires Medicaid managed care health plans providing coverage in Illinois to be accredited as a condition for participation in the state health plan contracts?**

**SUPPORT**

**OPPOSE**