



The American College of Legal Medicine

515 N. Dearborn St.
Chicago, IL 60654

THEACLM.ORG

PRESIDENT'S LETTER July 28, 2021

I hope everyone has been having an enjoyable summer. On behalf of your leadership team, I would like to update you about some important developments within the College.

Legal Medicine Perspectives. Congratulations and thanks to Dr. Liz Valencia and Dr. June Zhao for their outstanding work. They have succeeded in publishing the first two issues of Legal Medicine Perspectives (LMP) following a long lapse in publication. For those who are newer to the College, LMP has been part of a long tradition of the College; it provides a forum for sharing insights and information about cutting edge developments in legal medicine, ranging from analyses and commentaries on interesting cases to perspective pieces on important public health issues.

What can you do to help make this effort to reinvigorate LMP a success? First, if you have written (or would like to write) a short article that you would like to publish, please contact the editorial board. Our editors would be happy to provide you with feedback and guidance. Second, if you teach students in law school, medical school, or another graduate program in health law or public health, please encourage your students to think the great opportunity of submitting an article for potential publication. Third, if you are interested in serving as a reviewer or editor, please let the editorial board know. You can email Dr. Valencia directly at Valencia.Elizabeth@mayo.edu or we have a dedicated email address for

correspondence with the editorial board at LMP@ACLM.org . We are hopeful that with everyone's support, the College can successfully revitalize this important publication.

“A Day with the Judges” on October 22. Along with the American Board of Legal Medicine, ACLM is co-sponsoring “A Day with the Judges” on October 22, 2021. This meeting will be Co-Chaired by The Honorable Justice Noma Gurich of the Oklahoma Supreme Court and ACLM Past President Dr. Sandy Sandbar. This event, which will serve as ACLM's Mid-year Meeting, will be a “hybrid” conference, meaning that attendees can choose to attend live in Oklahoma City or to participate remotely. You can obtain more details about the programs and register at <https://sandysanbar.wixsite.com/2021daywithjudges> .

2022 Annual Meeting. The next Annual Meeting of the College will be held on Feb 24 through Feb 27, 2022, at the Hyatt Regency Mission Bay in San Diego, so please save the date. The Co-Chairs for the meeting are Dr. Eli Avila and Dr. Victor Waters, and they are working to put together an outstanding program. At this point, we are hopeful that this will be an in-person meeting, but we will continue to monitor and make necessary adjustments as events unfold.

Importantly, for our dental colleagues, consistent with our pre-pandemic traditions, Dr. Bruce Seidberg – this year with the assistance of Board members Dr. Jennifer Sullivan and Dr. Becky Bye -- is working to put together a dental program for Friday, Feb 25 and Saturday, Feb 26. Although we were unable to include a dedicated dental section of the meeting in our last virtual meeting, we are planning to continue this long-standing and important tradition.

Membership Committee. Congratulations to Dr. Jennifer Unis Sullivan and Dr. Santos Ruiz Cordero, the Co-Chairs of our Membership Committee, who are off to a great start this year. As of June 30, 2021, the College has approved 10 new Fellows, 8 new Members, and 2 new Student Members. Please welcome the following individuals to the College:

New Fellows

Brian Huang, DDS, JD, FCLM

Kurtis Mayz, MD, JD, MBA, FACEP, FCLM

David Mullens, JD, DPM, FCLM

Namrita Notani, DMD, JD, FCLM

Premkiran B. Reddy, MD, JD, FCLM

Ian Singer, DO, JD, FCLM

Zaheer Shah, MD, JD, FCLM

Michael Suk, MD, JD, MPH, MBA, FCLM

Philip Totonelly, MD, JD, FACC, FSCAI, FCLM

Matthew Young, MD, JD, MBA, FCLM

New Members

Anne Hovis, JD

Joshua Novy, MD, MBA

Norman Means, MD

Elizabeth Macri, MD

Charles Olson, MD

Cyrus Rajabi, JD

John Samples, MD

Kyle Sweet, JD

New Student Members

Yichuan Wang (MD Candidate)

Jose Parra (MD Candidate)

If you have recommendations for individuals who you think would be good additions to the College, please let Jennifer or Santos know, and someone from the Membership Committee will gladly reach out to the prospective candidate to talk with him or her about ACLM.

Webinar Series. The first two webinars in our series were very well attended and the feedback that we've received has been overwhelming positive. The Webinar Planning Committee, which is now being chaired by Dr. Sarah Diekman, is working hard to put together high-quality programs on subjects that have broad appeals for physicians, dentists, health care providers, and attorneys engaged in health law. Our third webinar, which is scheduled for tomorrow, Thursday, July 29 at 1:00 pm eastern, is entitled "Telemedicine: Understanding the Legal and Regulatory Landscape." This webinar is also complimentary, so it is a great way to invite non-members to check out the College. They can register at <https://www.theaclm.org/events>.

If you have suggestions about future topics that would be of interest, if you would like to be a speaker or propose a webinar, or if you would like to help on the Webinar Planning Committee, please let us know at Info@ACLM.org. We will share more details on future webinars as they become available.

Journal of Legal Medicine. The College's three-year contract with Georgia State University (GSU) to oversee the editing and publication of the Journal of Legal Medicine (JLM) expired on June 30, 2021. We are actively engaged in talks with Dean Camille Davidson at Southern Illinois University (SIU), which, prior to GSU, had been a long-time academic partner of ACLM with respect to JLM. Dean Davidson has been trying to expand the health law program at SIU and is excited about the prospect of bringing JLM back to SIU. The challenge at the moment – which would be true at any law school -- is finding the right faculty member to take the helm. We have also reached out to other law schools about a potential partnership and although a number of schools have expressed interest, thus far none has been able to commit.

Accordingly, the College is putting together a Search Committee for the purpose of identifying and evaluating other prospective academic institutions that would be good partners for ACLM in publishing JLM. If you would like to serve on the Search Committee, or if you have suggestions or recommendations (including points of contact) for other institutions that would be worth talking to, please let us know at JLM@ACLM.org.

Bylaws Committee. Dr. Frank Woodside, who is currently Secretary for the College, is also serving as Chair of the Bylaws Committee. In that capacity, Dr. Woodside is undertaking the important task of carefully reviewing the College's Bylaws for the purpose of recommending revisions that will ultimately be voted on

by the Fellows at the next Annual Meeting of the Fellows. Dr. Woodside needs additional Bylaws Committee members who can assist with this challenging task. If you would like to be of service to the College in this capacity, please reach out directly to Dr. Woodside at Woodside@dinsmore.com.

AMA Annual Meeting Report. Thank you to Dr. Dick Wilbur, Past President of the College, and currently one of the College's delegates to the AMA, for providing the following report:

AMA Delegate Report to ACLM

The AMA had its Annual Meeting virtually so that portions of it were held from June 5 to 16, 2021. The House of Delegates (HOD) met from the 11th to the 16th. Despite the increased amount of time, the constraints of using equipment in ways unfamiliar to many participants resulted in prolonged delays and a truncated agenda. A screening committee surveyed all Resolutions submitted and rejected or postponed a substantial number to the in person Interim Meeting scheduled for November.

Among those debated were one to lower Medicare age to 60. It lost, Medicare is already running out of money. One more directly affecting medical law was that new [information-blocking regulations](#) stemming from the 21st Century Cures Act require physicians to release health information even when they believe that doing so could emotionally or psychologically harm the patient. There are exceptions for information that doctors think might lead to a patient's physical harm, but not for other kinds of harm. So the HOD voted to advocate to the Office for Civil Rights to revise the definition of harm to include mental and emotional distress.

This spring, a large insurance company offered patients \$500 if they would switch from the medication their physicians prescribed to a payer-preferred alternative. Feeling that these types of insurance company tactics are likely to proliferate, the HOD adopted new policy to "oppose the practice of insurance companies providing payments to patients as financial incentives to switch treatments from those recommended by their physicians."

Health plans employ [prior authorization](#) and other forms of utilization management to cut health care spending. Peer-to-peer discussions between physicians and insurance company doctors are too often just another barrier to care and, therefore, the HOD advocated that proprietary criteria not supersede the professional judgment of the patient's physician when determining Medicare and Medicare Advantage patient eligibility for procedures and admissions.

The use of telehealth exploded during the COVID-19 pandemic, but critical issues related to access inequity, state medical licensure requirements, regulation and payment must now be addressed for it to continue to flourish beyond the current emergency.

The AMA Website has a more complete Report and I am pleased to respond to questions.

Respectfully submitted,

Hon. Richard S. Wilbur, MD, JD, FCLM

2021 Dues. Thank you to the 70% of our members who have paid your 2021 dues as of the end of June. For those who have not yet paid your dues for this year, we would ask you to renew your membership at your earliest convenience. The Board is working hard to ensure that you are receiving excellent value for your membership.

On behalf of the Board, we hope that you and your family are staying safe and healthy, and having an enjoyable summer.

Joe Piorkowski

President, American College of Legal Medicine