

Colorado Pain Society Newsletter #8 - Membership Invitation 2.18.24

You are receiving this invitation to join the Colorado Pain Society as part of our efforts to broaden the reach and diversity of our membership. The Colorado Pain Society (CPS) consists of physicians of various specialties, advanced practice providers (APPs), and psychologists who specialize in, or integrate pain management into, their clinical practices, or who simply want to learn more about pain management. CPS provides continuing medical education opportunities to its members and advocacy and awareness efforts on behalf of our pain patients. We regularly provide input on Colorado pain, substance use, patient access, and related pain policy development and legislative activities and have testified before the Colorado House and Senate on such legislation.

CPS provides opportunities to meet with colleagues, attend educational events including our annual meeting, stay informed with pain related medical, behavioral health, and sociopolitical updates, and we welcome your ideas and involvement. We are reaching out to interested clinicians from the western slope to the eastern plains of Colorado, and beyond, and are making specific efforts to collaborate with and seek members from primary care, surgeon, psychology and other groups or specialties that share our passion for improving the quality of life of our pain patients.

Membership also brings discounted registration to our annual meeting, networking through inclusion in our member directory, and a platform to gather and exchange ideas with colleagues. **Please consider joining the Colorado Pain Society today.**

Membership and other inquiries can be directed to our administrator, Annellie, at copainsociety@gmail.com and you can join CPS (\$150 annually) at our website:

<https://coloradopainsociety.org/membership/>

CPS Annual CME Conference on Chronic Pain 2024

Consider attending our annual educational meeting at The Hythe, in Vail, from October 11-13, 2024. We will have a diversity of speakers and topics, ranging from medication and psychological to technological approaches to pain management. We are also happy to announce that we will have **both virtual and live attendance options for everyone for all three days** of the conference (**thank you, MER**) and this will be **at no cost for PCPs** only, thanks to **The Colorado Consortium for Prescription Drug Abuse Prevention**. CME is provided. Registration pending website update.

Ellen Price, Treasurer
Eric Shoemaker, Membership Committee
Scott Bainbridge, President

COPIC Update: Introduced Legislation Updating Caps on Noneconomic Damages

1 message

COPIC Public Affairs <advocacy+copic@votervoice.net>
Reply-To: COPIC Public Affairs <publicaffairs@copic.com>
To: James Bainbridge <jscottbainbridge@gmail.com>

Wed, Feb 7, 2024 at 9:58 AM



February 7, 2024

Dear Colleague,

As we shared recently, there are significant efforts underway—currently in the form of filed ballot measures—to threaten Colorado’s stable medical liability climate. Parallel to the counter ballot measures filed by the Coloradans Protecting Patient Access (CPPA) coalition to combat these attacks ([Initiative 170](#) & [Initiative 171](#) referenced in last week’s update), our coalition is pursuing a proactive policy at the State Capitol this legislative session.

What We’re Advocating For

We know that Colorado’s non-economic damages cap (e.g., for pain and suffering, and impairment of the quality of life) is now one of the lowest in the country, as many states have seen increases in recent years due to inflationary changes or negotiated increases. This is one reason why Colorado has become the focus of an increasing trend across the country to raise or eliminate state caps on non-economic damages.

We support looking at ways to address this vulnerability in our tort

environment, but we also recognize that it needs to be accomplished in a reasonable manner that considers how best to protect both patients and providers. In the past two years, we have seen non-economic damage caps raised in both California and Nevada through a negotiated legislative process to prevent a ballot initiative eliminating all non-economic damage caps.

One of Colorado's recent ballot filings pushes for the elimination of the non-economic damages cap altogether, which we know would significantly increase the cost of liability insurance for providers. This will have a ripple effect on the cost of and access to health care for all Coloradans. Our coalition's stance has been clear from the beginning: we do not want an ugly, expensive fight at the ballot when those resources could instead be used to increase access to care.

Therefore, we have been willing to negotiate for a reasonable increase to the non-economic damages cap at the legislative level that provides a balanced approach for fair and just compensation in medical liability cases while also ensuring accessibility, affordability and stability in Colorado's health care system. ***Recently introduced [Senate Bill 24-130](#), sponsored by Senator Kyle Mullica, a licensed emergency room nurse, would seek to increase Colorado's non-economic damages cap from \$300,000 to \$500,000 over a 5-year period.*** COPIC supports this bill.

Balance is Key to a Healthy Health Care Environment

Keeping our health care environment healthy means increasing caps to a reasonable level, while ensuring caps are not eliminated altogether. We know that if the non-economic damage cap is set too high or eliminated, liability insurance becomes unaffordable for providers and health care organizations, driving them out of the state. This impacts access to care (especially in rural areas and for high-risk patients requiring specialty care), dramatically increases health care costs, and hurts our business environment.

The bottom line is: Colorado's bipartisan medical liability climate protects patients and the medical community. In coordination with the CPPA coalition, Colorado Medical Society, Colorado Hospital Association and other health care partners, COPIC supports the effort to update the non-economic damage cap in Colorado AND ensure we maintain a fair, reasonable cap that provides just compensation for plaintiffs, while retaining and attracting talented providers to our state so Coloradans have access to high-quality, affordable health care.

What's Next

Senate Bill 24-130 was introduced on Wednesday, February 7, and it's first committee hearing is expected in the coming weeks. Our coalition, which includes partners at the Colorado Medical Society and the Colorado Hospital Association, in addition to other health care organizations, will work together to monitor and advocate for the bill as it moves forward. Keep an eye out for additional updates and any Calls to Action to join this campaign effort and ensure we maintain a stable liability climate that benefits both patients and providers.

Visit COPIC's [Legislative Action Center](#) for more information on bills we are tracking during the legislative session, sign up for newsletter updates, or find your elected officials. If you have any questions, please contact COPIC's Manager of Public Affairs, Logan Dunning, at ldunning@copic.com.

Thank you,

Gerald Zarlengo, M.D.

Chairman/CEO

Beverly Razon

Sr. Vice President, Public Affairs

You are receiving this email because you signed up for alerts from COPIC.

Click [here](#) to unsubscribe from this mailing list.



Policy Pulse: Liability caps and professional review confidentiality under attack

1 message

Colorado Medical Society <enews_editor@cms.org>
Reply-To: Colorado Medical Society <enews_editor@cms.org>
To: J Bainbridge <jscottbainbridge@gmail.com>

Wed, Jan 31, 2024 at 11:12 AM



January 2024

An urgent call to action:**Liability caps and professional review confidentiality under attack**

Colorado's health care system finds itself at a crucial juncture where the core principles of our medical and business community are under threat from two proposed ballot initiatives filed by the Colorado Trial Lawyers Association that will unravel the very fabric of our state's confidential professional review process and stable liability climate. This attack is bad for patients, bad for the medical community, and bad for Colorado.

The threat

Initiative #149 will remove all confidentiality protections provided in the nearly 50-year-old Colorado Professional Review Act, effectively gutting patient safety systems like peer review, quality assurance programs, risk management and others.

Initiative #150 aims to ***remove all economic and noneconomic damage caps*** for catastrophic injuries, defined as death, dismemberment, permanent injury to the body or mind, or a severe injury that limits activities of normal daily life.

Our response

Shortly after these damaging measures were filed, Coloradans Protecting Patient Access (CPPA) – the broader coalition representing health care in Colorado, of which Colorado Medical Society (CMS) and COPIC are members – filed two countermeasures. Both measures ensure that Colorado is home to transparent legal reforms, with a focus on impacted parties' rights to recover fair compensation for damages.

Initiative #170 caps attorney fees in cases of personal injury and wrongful death at no more than 25% of their client's total damages award.

Initiative #171 requires lawyers in personal injury and wrongful death cases to disclose litigation costs to be borne by clients in civil cases proactively and transparently.

Call to action

This is not just a call to awareness but a call to action to stand with us in safeguarding the integrity of Colorado's health care system and business environment by contributing financial support to the effort.

We need dedicated resources to win this fight. Your contribution will fuel a robust statewide ballot campaign to defeat Initiatives 149 and 150 and pass Initiatives 170 and 171. We must move quickly and amass a war chest to fight this battle. Our health care climate depends on your support immediately!

Send a check today made out to the Colorado Medical Society with Liability Defense Fund written in the memo section, to [7351 E. Lowry Blvd, Suite 110, Denver, CO 80230](#). If you prefer, call the CMS offices at 720-859-1001 Monday through Friday between 8:30 am and 5:00 pm to make a secure contribution using your credit card.

[Read more here.](#)

HB21-1140 union authorization reform bill introduced to protect

HB24-1149 prior authorization reform bill introduced to protect patients, reduce costs, ensure access to care



Reducing the burdens of prior authorization on patients, on physicians and on the health care system is a priority for CMS. Prior authorization leads to care delays and treatment abandonment.

Yesterday, legislative champions

Rep. Shannon Bird (D), Rep. Lisa Frizell (R), Sen. Dylan Roberts (D) and Sen. Barbara Kirkmeyer (R) – along with 54 other co-sponsors – introduced a bill ([HB24-1149](#)) that aims to remove unnecessary burdens to care including:

- Preventing disruptions in already approved care, like requiring repeated authorizations for patients taking prescription drugs even after they have already been approved;
- Ensuring that there is continuity of care by extending prior authorizations to last through the course of treatment;
- Protecting patients from disruptions in care by ensuring multiple approvals are not needed as additional treatment is required during surgery;
- Creating transparency in the system so that patients understand their benefits and likelihood of being approved by requiring formularies to be made publicly available; and
- Incentivizing physicians that are consistently providing quality care and referring patients for medically necessary treatments.

Health plans are opposing the bill and CMS is gearing up for an intense legislative battle. Success in the future hinges on active physician engagement and sharing stories that vividly illustrate the direct impact of delayed or denied care due to inappropriate prior authorizations on patients and their families.

[Share your patient stories here.](#)

CMS joins our partners in the Colorado House of Medicine, patient advocacy organizations and many others in applauding the introduction of this commonsense bill to reform prior authorization and calls for its swift passage. Stay tuned for more updates and be ready to respond to action alerts. Review the bill [fact sheet here](#).



**CALL FOR COLORADO
PATIENT STORIES**

Have you or a loved one had a procedure or prescription
for medication delayed due to prior authorization?

WE WANT TO HEAR FROM YOU!

Legislators need to hear prior auth horror stories -- especially from patients. [Click here](#) to share your stories with us, and encourage your patients, family and friends as well!

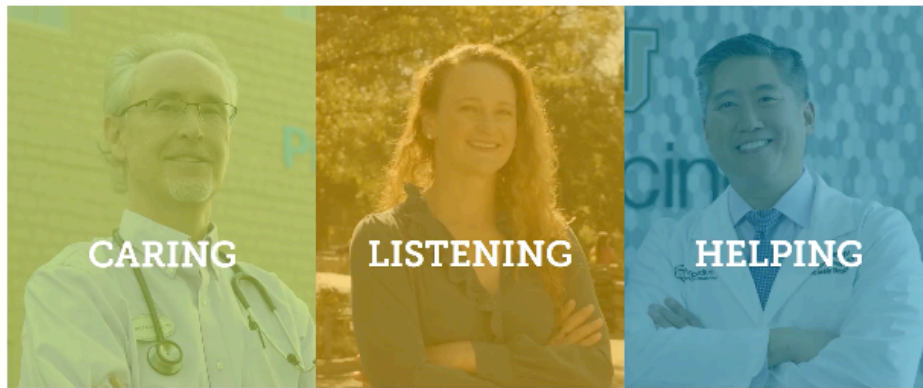
Read the facts about how prior authorization harms patients through this op-ed by CMS President Omar Mubarak, MD, MBA, published in Colorado Politics on Dec. 27.



[Click here](#) to read more

In Your Corner, Colorado - Protecting patient access for all Coloradans

Colorado's medical professionals answer the call to serve every day. They are with us from birth to death in the most vulnerable moments. This is why we are calling attention to this important new campaign: [In Your Corner, Colorado](#).



Learn more at InYourCornerCO.com

Another busy health care policy session in 2024

The Second Regular Session of the 74th Colorado General Assembly convened on Jan. 10, 2024 and is expected to adjourn on May 8. Health care policy has been a major focus of the General Assembly and the governor in recent years and this year is no different. CMS and our partners in physician advocacy expect to see action in tort reform, prior authorization reform, violence against health care workers, substance use disorder and mental health, CME requirements, required health benefit coverage, and network adequacy/primary care payment reform – just to name a few. Watch for future Policy Pulse enewsletters and Code Blue calls to action. This is a very active session and we will need your help!



Advocacy in action: Rep. Cathy Kipp and CMS COMPAC Chair Sean Pauzauskie, MD, discuss strategy on CMS supported HB24-1058 – Protect Privacy of Biological Data before the bill’s committee hearing on January 30. The bill passed out of committee unanimously and is headed to the House floor.

Why get involved in advocacy? Words from COL Vice Chair Ricky Dhaliwal, MD, JD



I think that deep down there is an altruistic reason every physician has when they choose to go into medicine. I think our goal is to fulfill this altruistic passion, and the hardest part is the red tape that makes it more difficult to practice or changes the way you can provide care to patients. Whether it’s directly related to patient care or reimbursement and pay – physicians ask, “can I work in this environment and still pay back my loans or support a family?” With all of the different moving parts, things become complicated.

One of the reasons I’m involved in advocacy is because I know if we’re not the ones creating that message, then it’s going to end up being someone else. That someone else might not understand how medicine works or may be incentivized by something that doesn’t benefit patients. If we don’t own this, someone else will and we’ll be left complaining about how medicine used to be.

Do you know who your legislators are? [Click here to find out!](#)

Legislator meet and greet

Do you have an interest in meeting your legislators? Let us know, and our team could help schedule a meet and greet for you in the future! Click on the button below to fill out the survey.

Legislator Meet and Greet!

The CMS Bill Tracker is your tool to stay up to date with health care legislation and CMS's positions on bills!

Bookmark the Bill Tracker

SUPPORT

OPPOSE

MONITOR

Support COMPAC and the Small Donor Committee

The success of CMS's advocacy work depends on your support



COMPAC
COLORADO MEDICAL
POLITICAL ACTION COMMITTEE



cms.org/contribute

Any individual 18 and older can contribute. Contribution limits apply. \$50/year to the SDC; \$625/election cycle to COMPAC. If you think you may have met the contribution limit already, contact chet_seward@cms.org.



Three free, one-hour, confidential, pre-clinical peer wellbeing consultation sessions for any Colorado physician or medical student; learn more at cms.org/Doc2Doc



You are receiving this email because you signed up for alerts from Colorado Medical Society.

Click [here](#) to unsubscribe from this mailing list.

