



# Washington State Orthopaedic Association

## Newsletter

February 2009

### WSOA Leadership

Walter Kregel MD  
President

John Adkison MD  
1st Vice President  
& AAOS Councilor

Lyle Sorensen MD  
2nd Vice President

Patrick Halpin MD  
Secretary/Treasurer  
& AAOS Councilor

Edward Farrar MD  
Immediate Past  
President

Robert Yancey MD  
Director

Chris Kontogianis  
MD  
Director

Tom Deagan MD  
Director

### President's Message

*Wally Kregel, MD, WSOA President*

This past year the WSOA has spent a large amount of time and resources devoted to the BFOA / Columbia PT lawsuit. It has been a cause that a large percentage of Orthopaedists and other medical practitioners in the state, and nationally can rally around, as its implications for patient care, convenience, quality and practice viability are plainly obvious. We have received great encouragement and advice from the AAOS, who realize that State Orthopaedic Societies are critical. However, there are many orthopaedic patients and surgeons in our state who are not as acutely affected by this issue as others, and would like to see the WSOA take a greater leadership role in other areas.

The AAOS Model State Societies document can be found on the [AAOS website](#), and it details their vision of an ideal State Orthopaedic Society. In response to feedback from our members and the AAOS, we are embarking on a Strategic Planning session, to lay out the future course of the Association. You will be receiving a survey to let us know what you feel are important issues that the WSOA can help you with, and your participation is critical to this process. Additionally, you can send direct comments to Darla White, our Association Executive at [ddw@wsma.org](mailto:ddw@wsma.org). The Strategic Planning meeting is to be held March 27-29, and will include current board members, and hopefully additional representatives from Harborview / UW, Southwestern, Northwestern and Eastern Washington Orthopaedic Surgeons. We hope to develop a plan that encompasses the AAOS Model State Societies vision, and will include community outreach, patient and community education on important orthopaedic issues, local and affordable CME for orthopaedic surgeons, patient care, quality, access, as well as a strategy to develop a unified plan regarding orthopaedic care for uninsured and DSHS patients that can be presented to the Washington State Legislature.

### Legislative Update

#### Litigation Update - Physician Owned Physical Therapy:

Washington State continues to stand on the front lines of an important battle playing out across the country with respect to physician ownership of physical therapy. As the Washington State Orthopaedic Association has reported previously, the Supreme Court of Washington has agreed to hear the case of Columbia Physical Therapy, Inc. v. Benton Franklin Orthopaedic Associates et al. in order to determine whether orthopaedic surgeons can employ physical therapists as part of the orthopaedic surgeons' group practice. Fundamentally, this is a case in which Columbia Physical Therapy is seeking a monopoly over physical therapy services at the expense of quality medical care for patients throughout the state. Virtually every state in the country -- including our own -- currently permits orthopaedic surgeons to employ physical therapists in

### WSOA Board Meeting Minutes

[January 2009](#)  
[June 2008](#)  
[April 2008](#)  
[February 2008](#)  
[January 2008](#)

### WSOA-BFOA Legal Defense Fund

**Please Make Your Contribution Today!**

Ten percent of your contribution will go towards a newly created WSOA Advocacy Fund to help with future advocacy and defense funds efforts. Send your check or credit card information to WSOA-BFOA Legal Defense Fund, c/o WSMA, 2033 Sixth Ave., Suite 1100, Seattle WA 98121. Or call the WSOA office at 206-956-3642 or [email](mailto:Executive@wsma.org) Association Executive Darla White.

### Residents

Did you know your WSOA membership is complimentary?

[Join today!](#)

You'll receive complimentary registration to all WSOA CME/Annual meetings.

Call our office for more information 206-956-3642

### Past WSOA Newsletters

[October 2008](#)  
[September 2008](#)  
[August 2008](#)  
[June 2008](#)

### WSOA Offices

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Executive

their practices. Columbia Physical Therapy seeks to undo that law with respect to all orthopaedic surgeons across the state.

Since the Washington State Orthopaedic Association last reported to you on the case, Columbia Physical Therapy has filed its opening brief in the Supreme Court and Benton Franklin Orthopaedic Associates is set to file its initial brief on or before March 16. Each party will then have an opportunity to file a reply brief. The briefing schedule set by the Supreme Court contemplates that all briefing will be filed by May 2009. It is expected that the parties will present oral arguments to the Court in summer or fall of 2009, with a decision from the Supreme Court most likely being issued in late 2009 or in the first part of 2010.

The Washington State Orthopaedic Association and orthopaedic groups around the state have shown tremendous support for Benton Franklin Orthopaedic Associates, recognizing that this case potentially has broad implications beyond the one orthopaedic group that Columbia Physical Therapy chose to sue. For that matter, the broader medical community - at both the state and national level -- is monitoring the case very closely because of the threat that Columbia Physical Therapy's arguments pose to integrated medical care across medical specialties and the use of ancillary services for the betterment of patient treatment. The Washington State Orthopaedic Association greatly appreciates the support that orthopaedic surgeons from across the state -- in large and small practices -- have provided to Benton Franklin Orthopaedic Associates.

We will continue to monitor the case very carefully and will continue to provide updates in future newsletters.

### Save The Date!

#### AAOS Academy in Las Vegas!

The University of Washington Orthopaedic Residency Alumni  
 &  
 The Washington State Orthopaedic Association  
 invite you to attend a hosted Cocktail Reception:

WHEN: Friday, February 27, 2009

WHERE: Harrah's Hotel, Parlor C

TIME: 5:30-8:00PM

Come see old friends and make some new ones!  
 Plenty to eat and drink!

Please RSVP to Darla White at [ddw@wsma.org](mailto:ddw@wsma.org) or call 206-956.3642

SEE YOU IN VEGAS!

### WSMA Legislative Summit

*by Patrick Halpin, MD*

On Monday, January 26, over one hundred and fifty physicians and PA's attended the WSMA Legislative Summit to hear Governor Gregoire present her proposed Bi-Annual Budget for Health Care. From a thirty billion dollar budget, there is projected to be a six billion dollar shortfall. Many budget items are legally exempt, which means that the cuts will

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have to come from the remaining forty-two percent of the budget. Many of these cuts will come from the Public Health Service, Subsidized Health Insurance, and eligibility and reimbursement for DSHS services. This will impact the most vulnerable citizens of our state and it will affect us in how we take care of these citizens. Items such as Childhood Vaccines and funding for Poison Control have been eliminated or dramatically decreased in the proposed budget. The Governor plans statewide meetings on what and how to trim the Public Health Budget.

Following the Governor's presentation, Len Eddinger from the WSMA instructed us on how to meet effectively without State Legislators. We then divided into groups and went to the Capitol to meet with our own legislators where we discussed pending legislation. The most pertinent legislation to Orthopaedists is a bill to increase coverage and payment for wrongful deaths by extending the age of childhood from eighteen to twenty-six, a bill backed by the Washington State Trial Lawyers Association and their ten Political Action Committees. Incidentally, you should be aware that the Washington State Trial Lawyers Association has changed their name to the Washington State Association for Justice.

This was my first visit to the annual WSMA Legislative Summit and I found it to be an effective opportunity to meet with my legislator. The helpful instruction from the WSMA and the camaraderie of other physicians make this a low-stress introduction to the political process. It is becoming increasingly clear that physicians need to advocate for their patients and their professions, so I would encourage each of you to consider taking advantage of this opportunity next year.

### **Orthopaedic Institute of Medicine Examines Challenges of Emergency Department Call Coverage**

Providing emergency care on an on-call basis has become unattractive to many specialists in critical disciplines such as orthopaedics. A new study by the American Orthopaedic Association's Orthopaedic Institute of Medicine explores the challenges surrounding emergency department coverage and provides possible solutions and recommendations for addressing them.

Visit <http://www.aoassn.org/CriticalOIOM.asp> to access the study.

### **PA's Now Eligible for WSOA Affiliate Membership**

The WSOA Board of Directors has approved the membership of physician assistants in the WSOA. Please encourage your PA staff members to join. [Click here](#) for a WSOA physician assistant membership application. Once completed, fax it to 206-441-5863, or mail with your check or credit card information to 2033 Sixth Ave. Suite 1100, Seattle, WA 98121.

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