N.Y. Anesthesia Law May Affect Dermatologists

BY ALICIA AULT

Physicians providing moderate to deep sedation or anesthesia with office-based procedures in New York now must be accredited or face charges of professional misconduct, according to a state law.

Health officials are promoting the law as a means of improving quality of care and creating a safer environment for patients. It appears that it would primarily affect gastroenterologists who offer in-office endoscopy, but it would also affect podiatrists, ophthalmologists, dermatologists, and dentists.

In an interview, Dr. Scott Tenner, past president of the New York Society for Gastrointestinal Endoscopy (NYSGE), said that the law is effectively creating an unfunded mandate for physicians who want to offer in-office sedation, and will likely stop many from providing this service.

Also, there is no requirement that insurance companies pay a facility fee to cover those added costs for physician offices, said Dr. Tenner. Thus, it has become an unfunded mandate.

Gastroenterologists have been meeting with insurers in New York to attempt to secure extra payments, but so far, none have been very open to the idea, he said.

The New York State Department of Health says 500 providers have received accreditation in the year since the law was enacted. Almost 200 more are awaiting accreditation. Providers that had not received accreditation as of July 13 were barred from performing in-office surgery with sedation or general anesthesia.

A health department spokesman said in an interview that the agency has not yet determined the breakdown by specialty of accredited providers.

Going forward, any practice that wants to perform office-based surgery must receive accreditation through one of three agencies: the Accreditation Association for Ambulatory Health Care, the Joint Commission, or the American Association for Accreditation of Ambulatory Surgery Facilities Inc. (AAAASF).

Dr. Tenner said that the accreditation process is lengthy and costs at least $40,000. He foresees an uphill battle to secure reimbursement for a facility fee for physician offices, predicting that insurers will, in the short term, pay for patients to have procedures performed at ambulatory surgery centers and hospitals, even though the costs are greater.

New York is not the only state that has changed requirements for office-based procedures. The AAAASF estimates that 26 states have guidelines urging accreditation or require accreditation for in-office sedation or general anesthesia. ■

Senate Approves Dr. Collins as NIH Director

Dr. Francis S. Collins, former director of the National Human Genome Research Institute, became director of the National Institutes of Health on Aug. 17 after being approved unanimously by the Senate earlier in the month.

"The National Institutes of Health stands as a model when it comes to science and research," President Obama said when he nominated Dr. Collins for the post in July. "My administration is committed to promoting scientific integrity and pioneering scientific research, and I am confident that Dr. Francis Collins will lead the NIH to achieve these goals. Dr. Collins is one of the top scientists in the world, and his groundbreaking work has changed the very ways we consider our health and examine disease."

Dr. Collins oversaw the federal Human Genome Project, which resulted in the complete mapping of the human genome in April 2003, finishing at about the same time as a parallel private effort.

Dr. Collins' research also has resulted in the discovery of several genes, including those responsible for cystic fibrosis, neurofibromatosis, Huntington's disease, and type 2 diabetes. Dr. Collins is interested in the intersection of science and faith and has written two books on the subject.

—Joyce Frieden

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