



Wisconsin Society of Anesthesiologists Newsletter

Summer 2010

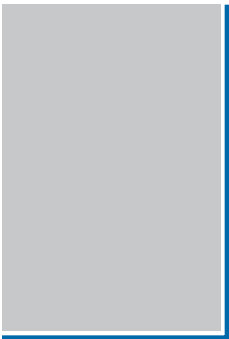
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Welcome to the WSA Newsletter

By Robert F. Koebert, M.D.



Welcome to the latest incarnation of the Wisconsin Society of Anesthesiologists newsletter! Our society has had at least one previous effort at offering a newsletter to our members. It has been a few years, however, since an issue has been distributed. The increasing costs of publishing and mailing

the newsletter along with the labor intensive work that goes into keeping a newsletter going resulted in it falling by the wayside. With the advancement of electronic publishing and distribution in recent years, I think it is time we gave it another shot.

You might have noticed a decided lack of creativity in the name of this newsletter ... mea culpa! I would like to tap into the talents of our members to come up with a suitable name for the "publication". Please send any and all suggestions to me at rkoebert@sbcglobal.net.

If a suitable title is chosen from a member suggestion, the member will be recognized in a forthcoming issue and possibly even receive some token of appreciation (as yet undetermined)!

Much of the content of this newsletter comes from our legislative work over the past two years. Eric Jensen, who assists the WSA as a lobbyist, has contributed several pertinent articles that are well worth the time to read and ponder.

You will find some information regarding the Annual Fall Meeting of the Wisconsin Society of Anesthesiologists. The meeting will return to Sturgeon Bay, WI this year on the weekend of September 10-12, 2010. Make plans to join us there!

For future planning, the 2011 Fall Meeting will take place September 16-18 at The Abbey in Fontana, WI on the shores of Lake Geneva. You might also be interested to know that we are likely going to Kohler, WI in 2012 for a long awaited return to The American Club!

I would call your attention to the fact that the WSA does maintain a very useful website at www.thewsa.org. We endeavor to keep the website up to date and meaningful. It can be used to register for the fall meeting, renew your WSA membership on an annual basis as well as making secure contributions to WSA-PAC (see Eric Jensen's article on the need to maintain involvement in advocacy).

I hope you find this newsletter informative and useful. Your comments and suggestions for future issues are encouraged.

Robert F. Koebert, M.D.

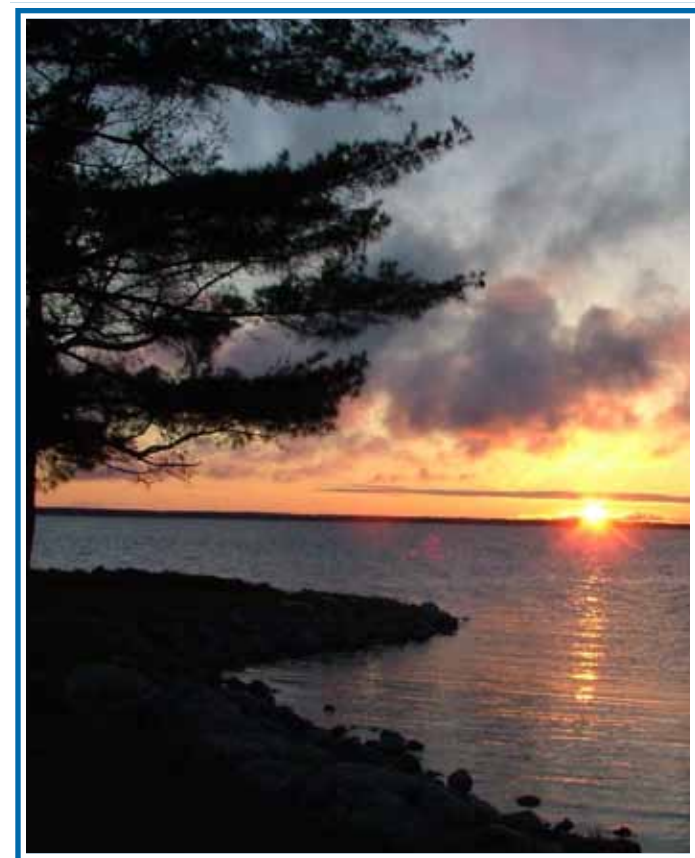
President, WSA

Anticipating the WSA Annual Meeting

By Olga Kaslow, M.D., Ph.D., WSA 2010 Annual Meeting Program Chair

It has been my pleasure working on the program of our Annual Meeting. Along with the leaders of Wisconsin Society of Anesthesiologists, I would like to invite you to join us in Sturgeon Bay, WI, where we will focus on a “Future State of Practice” of our specialty. This program covers pertinent topics for anesthesiologists in various scopes of practice, from private to academic, including residents and fellows starting their independent careers in the near future.

We are proud to put forth the most experienced speakers and recognized experts covering the latest updates in relevant topics. These include, but are not limited to: trauma anesthesia, novel methods of hemodynamic monitoring, pain management, obstetric anesthesia, and anesthetic toxicity in regional blocks. Such speakers include: Dr. Richard Dutton, Division of Trauma Anesthesiology, R. Adams Cowley Shock and Trauma Center; Dr. John Doyle, Chair of Education Committee, Society for Technology in Anesthesia; Dr. Robert Gaiser, Division of Obstetric Anesthesiology, University of Pennsylvania; Dr. James Conterato, Marshfield Clinic; and Dr. Hariharan Shankar, Division of Pain Management, Medical College of Wisconsin.



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In addition to learning about the advances in translational research of anesthetic modulation of consciousness from Dr. A. Hudetz, MCW, we will also offer the opportunity to participate in a panel on malpractice and liability in anesthesia moderated by defense attorney, Mrs. Wolverton, and expert witness, Dr. Harvey Woehlck.

Dr. Richard Dutton, who recently became the Executive Director of the Anesthesiology Quality Institute, will notably present his point of view on the role of the National Anesthesia Clinical Outcomes Registry.

Furthermore, we plan to assemble with ASA President, Dr. Alex Hannenberg, and Mr. Manuel Bonilla, Director of the ASA Political Action Committee, who will address current matters and concerns in national health reform, the influence it may impose on our society, and possible ways to engage in advocacy for our specialty.

After a busy day of learning and discussions, the annual meeting will conclude with an informal dinner at a fine restaurant in Sturgeon Bay.

We hope to see you there!

Campaign Contributions – Your Constitutional Right

By Jen Braunschweig, M.D.

Media reports generally paint campaign contributions as unseemly or dirty or inappropriate. Yet those reports often ignore two simple facts: political campaigns do (and always have) cost money, and it is our constitutional right to help candidates for political office.

Think of it this way – why do you vote for a candidate? You vote for them because they share your concerns and views, and you believe they will act in office in a manner you approve. Your vote, which we generally consider not only a right but an obligation of citizenship, is an expression of your support for that candidate in the hopes s/he gets elected.

Should you choose, you can volunteer to help a candidate's campaign. Many people walk neighborhoods seeking signatures to get a candidate nominated to appear on a ballot. Many people put signs in their yards. Many people put bumper stickers on their cars. Many people walk door-to-door talking to voters or handing out campaign literature. Each of these is an expression of support seeking the votes of others for that candidate in the hopes s/he gets elected. Each is a "campaign contribution."

But It costs money to make the signs, or print the bumper stickers or produce campaign literature or create radio or TV commercials. Monetary "campaign contributions" help pay for those, and are a way to support a campaign if a person is unable or unwilling to volunteer their time and work – but

despite their frequent media portrayal, they are no different than volunteer time or sign displays.

Monetary contributions are not something you need to apologize for or feel guilty about. Campaign contributions help elect lawmakers who believe what you believe (just as your vote, yard sign and bumper stickers do). And not surprisingly, lawmakers who share your political beliefs and ideals tend to support legislation you support. That is why people vote for candidates, it is why people volunteer to help campaigns, and it is why people donate money.

In 2007, WSA created a Political Action Committee (PAC). A PAC is an account generally sponsored by a professional or other organization – individuals donate money to the PAC and the PAC donates money to political candidates who share the beliefs and views of the organizations' members. In Wisconsin, a PAC may give a limited amount to any individual candidate, so the

more money the PAC has, the more candidates it can support. It is really that simple, it is legal, it is not "dirty" or "unseemly," and it is as much your right to make these contributions as it is to vote.

Your annual contribution to WSA PAC helps us advocate for Anesthesiologists, and allow us to help elect lawmakers who support our positions on issues of concern to Anesthesiologists. Your WSA PAC contribution must be a personal contribution (a personal check, or a contribution via personal credit card at www.thewsa.org). We recommend a minimum contribution of \$250 per year, but encourage \$500 or \$1000.



Session a Success for WSA Despite Near Misses

It is often said, “there are two things you don’t want to see being made – sausages and laws.” Politics is not an undertaking for the faint of heart, and it is an exercise in the arts of patience, perseverance and preparation. Newcomers to politics often discover this the hard way. And while not always very much fun, “paying your dues” is a necessary part of politics like it is in many aspects of professional and personal life.

In 2009-10, WSA ventured back into politics for the first time in five years, undertaking not one but two proactive legislative efforts: Assembly Bill 671 to license Anesthesiologist Assistants and Assembly Bill 760 to regulate anesthesia in outpatient settings.

As our lobbyist, Eric Jensen advised from the outset, for either to become law the very first time they were introduced would have been quite surprising, and in the end, neither bill did. But because of thoughtful and well executed political strategies, strong legislative allies, and the diligent work of many of our members both bills made it further along the process than we anticipated, further than any of us can remember any past legislative efforts by WSA, and in the case of AB 671 we very nearly pulled off the unexpected.

Under the guidance of our lobbyist, our members’ efforts over the past couple of years have moved us quickly along the political process. It is our intention to persist in these efforts in the 2011-12 Session and continue our advance toward becoming regular participants in Wisconsin legislative process.

Near Miss on Anesthesiologist Assistant Licensure – AB 671

Until the closing days of the 2009-10 Legislative Session this past April, legislation to license Anesthesiologist Assistants (AAs) in Wisconsin appeared likely to pass. Alas, despite an 8-0 vote in the Assembly Health Committee, a voice-vote for passage by the full Assembly, and a 6-1 vote in the Senate Health Committee (on the Senate version of the bill), AB 671 was denied an opportunity for full Senate action and died. (For better or worse, our bill was one of many, many bills to suffer the same fate this session.)

Working with Assembly author, Representative Jennifer Shilling (D-La Crosse), the Wisconsin Academy of Anesthesiologist Assistants and others over the course of the last two years, WSA helped to write legislation that would, for the first time, license AAs (Masters-level anesthetists who work under Anesthesiologist supervision) in Wisconsin. The project represented our first proactive legislative effort since 2004-05 and despite the bitter result yielded many positives for WSA.

AAs have practiced in Wisconsin for three decades under our delegatory authority statutes (at Gunderson Lutheran in La Crosse, and the UW Hospital in Madison). Facing an ever worsening shortage of qualified anesthesia providers, the WSA Board decided the time was right to support AAs in seeking licensure in the hopes of attracting more providers to our state and helping alleviate our shortages. Similar efforts in other states have failed miserably in their first attempts, but with persistence and efforts over multiple legislative sessions, licensure has been achieved in more than a dozen and each has seen increases in the number of AAs practicing since.



In each state, associations representing CRNAs have strenuously and vigorously fought in opposition to legislation seeking AA licensure. We anticipated the same from the WIANA, and early on we were not disappointed. But a well-executed strategy to secure advance support from key legislators, Gunderson-Lutheran, UW Hospital, the Wisconsin Medical Society, the Wisconsin Academy of Physician Assistants and the WI Medical Examining Board, as well as the neutrality of the Wisconsin Hospital Association (a first, nationally) ultimately led to a successful negotiation with WIANA and their formal (and written) neutrality on AB 671 (also a national first!).

The reasons why legislation does not pass, or is not given an opportunity for vote are myriad and often they are unexplained. But it is a well-worn adage in politics that very few bills become law the very first time they are introduced. Officials with the American Academy of Anesthesiologist Assistants acknowledged that we advanced much further than any other state in our first run at AA licensure. So while bitter in its final result, WSA (thanks to the efforts of many of you) made great strides with AB 671 this session, and we look forward to revisiting the issue with our AA colleagues again in the future.

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Office Based Anesthesia Regulation Advances – AB 760

In 2003, 38-year-old Julie (Ayer) Rubenzer walked into an outpatient “cosmetic surgery center” in Florida. Anesthesia for her breast augmentation procedure was administered by an RN with no training or certification in anesthesia, at the direction of a physician who it was later revealed was trained only as an oral surgeon. Julie went into cardiac arrest after receiving an inappropriate dosage of anesthesia, received delayed resuscitative care at the clinic, lapsed into a coma and died three months later back home in Waukesha.

Fortunately, no similarly tragic stories have been reported in Wisconsin. Yet Wisconsin remains one of the only states that do not regulate the administration of anesthesia in non-hospi-

As with AB 671, we sought advance approval from the Wisconsin Medical Society, the Wisconsin Hospital Association, the Association of Wisconsin Surgery Centers, and in this case the Wisconsin Association of Nurse Anesthetists. We also reached out to the family of Julie Rubenzer, whose father Don Ayer gave passionate testimony before the Assembly Health Committee in support of AB 760, and committed to help the legislation pass in any way he can. The result: a 13-0 vote in support of AB 760 by the Committee.

Just before and shortly after the Committee hearing, however, several individual hospital/clinic groups as well as Johnson & Johnson weighed in with concerns about the legislation. As can happen, then, time ran out this session before those concerns could be resolved and AB 760 could



WSA members Jay Mesrobian, M.D., Robert Koebert, M.D. and Scott Springman, M.D. meet with Representative Sandy Pasch in her Madison office while working on Office Based Anesthesia legislation.

tal outpatient facilities. In response to this and other similarly tragic stories, WSA sought the introduction and passage of legislation to regulate office-based anesthesia (OBA) in 2004-05. Actively opposed by CRNAs, and lacking a political strategy, that legislation died swiftly and quietly in committee.

This year, working with Assembly author Rep. Sandy Pasch (D-Whitefish Bay) and in partnership with the Wisconsin Society of Plastic Surgeons, we were able to have AB 760 introduced. AB 760 took a different approach from the prior OBA legislation – rather than seeking to define who can provide anesthesia in outpatient settings and how, it sought to create a state license for outpatient facilities where general, major regional or moderate-deep sedation anesthesia is administered, linking that licensure to Medicare approval or other national accreditation of the facility.

come to a floor vote. (WSA refused to negotiate the legislation to the point it was meaningless simply to get action late in the session.)

Because of the delay since WSA's prior efforts (and corresponding turnover in legislators and legislative staff in the time since), this was for all intents and purposes the first time such legislation has been introduced. We learned a lot along the way, discovered some new and unexpected opposition, and still managed to position ourselves well for future action.

Measured in the simplistic terms of bill passage, our session efforts appear to have yielded little. But viewed within the full picture of the legislative and political processes, and our relative inexperience in them as an organization, WSA leaves the 2009-10 session encouraged by our enormous first strides and a newfound understanding of the need to persist in these efforts, for the sake of our profession, our specialty and our patients.

Elections 2010: Upheaval or Status Quo?

Election season 2010 promises intrigue – in Washington, and in Wisconsin as well. But will it prove to be a season of change, or maintenance of the status quo?

After gaining ground in 2006, Wisconsin government has been under total Democrat control for the first time in a generation since November 2008 – Governor Doyle, the State Assembly (controlled by Democrats 52-46-1) and the State Senate (controlled by Democrats 18-15).

As Governor Doyle steps away, Wisconsin will see its first race for Governor that doesn't involve an incumbent candidate in several decades.

As the economy struggles, poll after poll suggests voters are unhappy. Recent special elections or primaries in other states have reflected this sentiment as seats long held by one party have changed hands, or long-time incumbent candidates have been ousted or nearly so. But depending on who you talk to, November 2010 will either bring sweeping change to Madison or change little. Some experts believe it's a "GOP Year." Others believe it's an "anti-incumbent" year. Still others believe the reported voter angst is little more than media hype. With less than five months to Election Day, the final outcome is anyone's guess, but here are some things to watch....

Wide Open Run for Governor

As Governor Doyle steps away, Wisconsin will see its first race for Governor that doesn't involve an incumbent candidate in several decades. Democrat Tom Barrett (current Milwaukee mayor and former Congressman), Republican Scott Walker (current Milwaukee County Executive and former State Assembly Representative) and Republican Mark Neumann (former Congressman) are all vying for the State's top office.

In recent weeks Walker won the endorsement of the Republican Party of Wisconsin, while Barrett garnered a similar nod from the Democratic Party of Wisconsin. Most political insiders believe Walker is on track to win the Republican Primary (September 14th), setting up a race between two politicians elected to their current offices by largely the same Milwaukee electorate. Usually a stronghold for Democrats, a close split of the Milwaukee vote would bode well for the Republican candidate in November.

Senate Majority Vulnerable?

While Democrats control the Senate 18-15, Republicans need gain only two seats to take control. Four seats are likely to see the most action:

- 1st District – Door County. Open due to the retirement of longtime Senator Alan Lasee (R).
- 5th District – Wauwatosa. Sen. Jim Sullivan (D) is challenged by Rep. Leah Vukmir (R) in this traditionally GOP stronghold.
- 21st District – Racine. Sen. John Lehman (D) is challenged by Van Wanggaard (R) who lost a narrow race for State Assembly in 2006.
- 31st District – West Central WI. Sen. Kathleen Vinehout (D) is challenged by Ed Thompson (R), brother of former Governor Tommy Thompson.
- Each of the three Democratic incumbents faces their first re-election after winning office in 2006. Since the early 1990's, partisan control of the State Senate has changed hands a half-dozen times and pundits predicting a GOP year think control could flip to Republicans this fall.

As the economy struggles, poll after poll suggests voters are unhappy.

State Assembly – Closer than it Appears?

After 14 years of GOP control, Assembly Democrats swept to the Majority along with President Obama in 2008. Typically a five-seat gap represents a significant hurdle for a party seeking to take control – but in reality it means a net-change of just three seats and control flips to the other party.

Wisconsin Assembly districts are small (50,000 or so population), and dynamics can change quickly which means Assembly races are where most of the surprises happen every two years. With all 99 Assembly seats up for election in November, twenty seats left vacant by retirements and an apparent anti-incumbent sentiment the respective parties will be forced to pay close attention to many more races than usual this year.

Of the 99 Assembly districts, fewer than a third are where the real battle for control takes place. That's too many to list here, but here's a sampling of some key open seats:

- 5th District – Fox Valley – Vacated by retiring 3-term Rep. Tom Nelson (D), leaving to run for Lieutenant Governor.
- 30th District – Hudson/St. Croix – Vacated by retiring 6-term Rep. Kitty Rhoades (R).
- 51st District – Iowa/Lafayette Cos – Vacated by retiring 2-term Rep. Steve Hilgenberg (D).
- 67th District – Chippewa Co. – Vacated by retiring 4-term Rep. Jeff Wood (I). First elected as a Republican, Wood switched to Independent before the 2008 election.
- 80th District – Green Co. – Vacated by 3-term Rep. Brett Davis (R) who also leaves to run for Lieutenant Governor.
- Republicans are excited about their opportunities. Democrats are confident they can hold onto or expand gains made in 2006 and 2008. And all three candidates for Governor claim the upper-hand. Time will tell who is right, but the 2010 Elections promise to be unpredictable.

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