The President’s Corner
by Joydip Bhattacharya, D.O.

SGR and GPCI update

On June 1, a scheduled 21.2 percent reduction in Medicare physician payments took effect based on the SGR formula. Congress has acted three times since last December, but only with short-term fixes to stop the payment cut. The most recent action set payment at 2009 levels through May 31. Just before the Memorial Day, the House passed HR 4213 or the so called tax extender bill. This House bill would postpone the cut for two years, and provide a 2.2-percent payment update for the remainder of this year and a 1-percent payment update for 2011. In anticipation of Congress acting to stop the cut, the Centers for Medicare & Medicaid Services (CMS) has instructed carriers to refrain from processing claims filed on or after June 1 until Thursday, June 17.

The bad news is that the “tax extender” bill failed to clear a 60-vote (52-45) hurdle in the Senate on Wednesday, June 16. The bill faced strong opposition from Republicans and moderate Democrats over the cost issues. Now the senate Democratic leaders are now working on a scaled back version of the bill. The revised bill would likely postpone the Medicare cut only through November. Physicians and Medicare beneficiaries would be justifiably outraged by Congress’ inability to provide stable funding for Medicare repeatedly. These repeated short-term fixes simply allows the problem to smolder and grow, making it harder to achieve the long-term goal of fully repealing the faulty sustainable growth rate (SGR) formula. Fortunately entire California congressional delegation and Senators Barbara Boxer and Dianne Feinstein understand our concerns and have voted to support long term fixes.

Medicare carriers may be required to begin processing claims for services provided starting June 1 with the 21.2 percent cut by next week if there is no resolution by this weekend.

The only good news is that, the scaled-back bill is still likely to include a California geographic payment (GPCI) fix, which provides $400 million so that some currently underpaid counties, within Locality 99, will be reimbursed based on more accurate geographic practice costs. Unlike the perpetually

Continued on next page.
temporary SGR fixes, this GPCI fix is supposed to be permanent. This could mean about 9% long term increases in Santa Cruz County Medicare physician reimbursement. Our Santa Cruz county physicians will be a direct beneficiary of this fix and the GPCI provision will be a huge victory for physicians who are practicing in higher cost Locality 99 counties. California’s payment locality assignments have not been updated in 10 years, and the last update was made using 1966 demographic data, when Santa Cruz was mistakenly left in Locality 99. Practice costs in many other urbanized counties such as ours have increased dramatically, yet our county along with several others remained inappropriately grouped with the lower cost counties in Locality 99.

Santa Cruz County Medical Society members have been lobbying actively thru their patients, thru CMA and our local lawmakers for years to fix this geographic index payment problem. One should recall that last year in the house version of the health care reform act there was a GPCI fix, but it never got into the final version that passed. By the time you are reading this, there may be already some resolution, let’s hope for better.

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The 9th Annual
Physicians’ Art & Music Show

September 7-12, 2010

The Art League of Santa Cruz Gallery
526 Broadway, Santa Cruz
Gallery hours: Wed-Sat, Noon-5:00pm; Sun Noon-4pm
Admission is free

Charity Benefit Reception, live music, and meet the artists
on Friday, Sept. 10, 2010 from 5:30-8:30pm. $5 cover charge.

Come and view your colleagues artwork. The live music ranges from jazz to classical cello. Do not miss this incredible evening!

Proceeds from the art sales and cover charge benefit local health care charities.

This event is co-sponsored by the Dominican Hospital Foundation
2010-2011 SCCMS Board of Governors

President (1 year)
Donaldo Hernandez, M.D.

President-Elect (1 year)
Jeannine Rodems, M.D.

Past President (1 year)
Joydip Bhattacharya, D.O.

Secretary (1 year)
Neil Sawhney, M.D.

Treasurer (1 year)
Morgan Magid, M.D.

Board of Governors (Term)
Susan Schaefer, M.D. (2010-2013)
Vickie Winkler, M.D. (2010-2013)
Brian Brunelli, M.D. (2009-2012)
Steven Magee, M.D. (2010-2012)
Richard Hencke, M.D. (2008-2011)

Public Health Officer
Poki Namkung, M.D.

Ex Officio: At Large (1 year)
David South, M.D.

CMA Delegates (Term)
Michael Coulson, M.D. (2010-2013)
Dean Kashino, M.D. (2010-2013)
Hannah Farquharson, M.D. (2009-2012)

CMA Alternates (Term)
Jeannine Rodems, M.D. (2010-2013)
Rosalind Shorenstein, M.D. (2010-2013)
Gordon Lee, M.D. (2009-2012)

To find contact information for members of the BOG check your SCCMS Membership Directory or online use the Physician Locator at www.cruzmed.org.

SCCMS BOG Strategic Retreat this August

The new 2010-2011 SCCMS Board of Governors and invited SCCMS committee chairs and past leaders will be holding a four hour strategic planning retreat on a Saturday in August. If you have ideas, suggestions or observations, please pass them on to one of these SCCMS leaders or let us know by e-mail to sccms@cruzmed.org or telephone 479-7226.

If you wish to participate, please notify SCCMS by email to sccms@cruzmed.org or call 479-7226. Leave your name, contact information, and title of your issue. We will notify you of the date, time, and place of the Strategic Retreat.
LtoR: Drs. Michael Alexander, Michael Yen, David South, Rosalind & Michael Shorenstein with Barbara Miguel.

The beautiful view from Hollins House across the Monterey Bay to Pacific Grove/Monterey.

Dr. Jeannine Rodems with her husband Guntram Wolski talk with Dr. Larry deGhetaldi, Dustin Corcoran and Elizabeth McNeil.

Dr. Dean Kashino, Frances Kashino, and Drs. Nicholas Abidi, Tobias Yeh, Martina Nicholson, John Gillette, Charles Eldridge, and Paul Berman.

Drs. Daniel Spilman, Miguel Vasquez, and Marlene Mirassou chat at the table. Drs. Brian Ward and Marie Pletsch are standing behind them.
The Medicine Cabinet

SCCMS Annual Membership Meeting
Thursday, 3 June 2010

Fifty-two dinners were served to members and guests gathered in the Banquet Room of the Hollins House Restaurant atop the Pasatiempo Golf Course and Country Estates. The weather and views of Monterey Bay with the sun setting were magnificent. Tim Allari, Joydip Bhattacharya, Marcus Kwan, Paul Berman, Jeannine Rodems, Mike Coulson, Larry DeGhetaldi, Dean Kashino, Rosalind Shorenstein, Brian Brunelli, and John Pestaner met early at 5:00pm in the Board Room to talk with Elizabeth McNeil and Dustin Corcoran.

After a reception with rock shrimp dumplings, tomato & blue cheese brochette, and ahi tuna crisps with no host cocktails, the dinner began at about 6:45pm and President Joydip Bhattacharya opened the meeting by having Nick Abidi give us the sad news of the passing of Ritu Meister.

Our Secretary Neil Sawhney announced the winners of the 2010-2011 election and outgoing President Bhattacharya received his plaque: Thank you for your conscientious leadership and thoughtful advocacy during the difficult period of national health care reform and debate.

President-elect Donaldo Hernandez welcomed the two CMA speakers. New CMA CEO Dustin Corcoran outlined his plans and issues of importance which included better communication with members via web site and e-mail, an effort to think and act strategically by assigning a new Chief of Strategy post instead of a deputy CEO, and a new VP of Communications and Marketing.

Elizabeth McNeil, CMA VP of Federal Government Relations outlined the federal health care reform package that passed and also spoke about the SGR repeal and local correction of Locality 99 Medicare reimbursement that were not addressed in the recently signed legislation. She said that health care reform continues to be an ongoing issue and the need to work out the details and make changes will continue into the future. We must be even more committed to speaking up and making a difference.

She had a slide that outlined what to do next:

What You Can Do Now:
- Meet with Your Representative
- Tell them they must fulfill the promise of universal coverage by ensuring that everyone has a doctor!

Tell Congress They Are NOT Done
They Must Immediately Pass Legislation to:
- Repeal the SGR and institute a stable reimbursement system
- Eliminate the IPAB
- Adopt the CA GPCI fix
- Implement MD quality reporting protections
- Increase Medi-Cal rates for all physicians

Both speakers thought that “ACOs” or Accountable Care Organizations will be prominent parts of federal health care reform and did offer some opportunities for physicians to act together for better patient care and, perhaps, for better physician reimbursement. CMA will be sponsoring webinars on ACOs and Medical Foundations.
Mutual interest

Your reputation matters. Period.

Some insurers cap their defense costs or take them from your coverage limits. NORCAL Mutual does not. We are committed to protecting you regardless of the cost. There is no cap on the value of the reputation you’ve earned.

NORCAL Mutual Insurance Company

Call NORCAL Mutual today at 800.652.1051. Or, visit www.norcalmutual.com.

NORCAL is proud to be endorsed by the Santa Cruz County Medical Society as the preferred medical professional liability insurer for its members.
The Santa Cruz County Medical Society was represented in Sacramento at CMA’s Legislative Leadership Day on Tuesday April 27, 2010 by Timothy Allari, Dean Kashino, Marcus Kwan, and David Pham (the latter a UCSC student being proctored this quarter by Jack Watson). They attended an all day affair beginning at 5:00am and ending about 7:15pm that included a two hour bus trip to Sacramento and two hours back with lectures, meetings and luncheon in between. There was a welcome by new CMA CEO Dustin Corcoran; state legislative updates by Jodi Hicks, VP, Center for Government Relations and her staff; a budget panel moderated by Evan Halper of the Los Angeles Times with a panel that included Richard Figueroa, Office of the Governor, Seren Taylor, Senate republican fiscal office, and Craig Cornett, office of the Senate President Pro Tempore (D), and a lunch with keynote speaker Robert Hertzberg, Speaker Emeritus, CA Assembly and Co-Chair, California Forward!

Mr. Hertzberg was very eloquent about the aims of California Forward to improve the governance of California, by changing the way the budget is approved, decreasing the gerrymandering of election districts, modifying term limits to balance better continuity with new blood, and to mainly devolve power back to smaller units of the governed so that those elected to represent will find it easier to be responsive to the electorate.

Also sandwiched in between was a 15 minute speech by the newly elected Speaker of the California Assembly, John Perez of Los Angeles. He had already demonstrated his wisdom by appointing Bill Monning as chair of the Assembly Health Committee, but his short speech outlining the three areas of need to bring California back from the brink of disaster: 1. Create Jobs 2. Improve the Budget Process and do away with deficit 3. Make long term governance structural reforms like passing the budget by simple majority, redistricting, modifying the initiative process, and having decision making more transparent, showed he has identified some of the needed actions to help our State avoid its impending financial disaster.

Our best personal interaction was half an hour with Ryan Guillen, Bill Monning’s health care staffer and expert on AB 2112, followed by half an hour with Bill, himself. The Staff members from Senator Simitian (Stephanie Hine-line) and Anna Caballero (Chinook Shin) were quick and professional, but lacked true substance. Abel Maldonado was getting sworn in as Lt. Governor and his staff was involved in moving his office down to the first floor just behind the security area.

Respectfully submitted, Marcus/MRK
Relevant SCCMS Events First Half 2010

The members of the Santa Cruz County Medical Society think that the primary function of our group should be political and professional advocacy for both patients and physicians. We accomplish this primary function via various committees and programs like the Legislative Outreach Committee (the Sam Farr Breakfast Club after the venue for our initial meeting six years ago). This group which welcomes new members meets with elected officials at all levels of government to express our views; interviews candidates and works with CALPAC to give financial and other support during election cycles; and is part of the CMA legislative hot line and the CMA key contacts program that keeps us abreast of the legislative changes in Sacramento and lets us know when, why and how to connect with elected officials over specific issues. Meetings have been held with Bill Monning, all the democratic candidates for Assembly District 27, and Assembly and Senate offices in Sacramento.

We attempt to educate ourselves with speakers at our membership dinner meetings like Fred Keeley, Santa Cruz County Treasurer, who spoke about California Forward; Larry deGhetaldi, who spoke about national health care and the debate over Medicare; and Dustin Corcoran, CMA CEO with Elizabeth McNeil, CMA VP of Federal Government Relations. We are open to any suggestions for new events and, from the last survey sent out with the SCCMS dues statements, we will likely be starting to increase contact with the Cabrillo Foundation and its health care student’s scholarship program.

The second most requested function of our county medical society is that we provide some education and action about the non-clinical aspects of our profession like office management, updates on insurance company actions, inadequate reimbursement (especially governmental), and pending legislative resolutions that directly affect our practices. In this arena advocacy combines with education. SCCMS hosts a monthly office managers meeting on the second Wednesday of the month for practice managers of SCCMS member physicians, who network and invite their own speakers and educational programs. In addition to the monthly one hour meetings, there have been several extra meetings so far this year.

One was with Sandra Siddall of Palmetto when we had 21 attendees with two physician members and the topics were the changes in consultation coding for CMS, the new PECOS registration requirements, and the availability of Preventive Medicine services. We had two meetings with Melissa Irwin of TPO, an HR consulting firm. We had 19 attendees at the first and 14 attendees at the second meeting. Melissa covered: Dealing with difficult people, reducing employment related expenses, wage and hour pitfalls, and harassment and discrimination in the work place. She was able to give brief specific advice to attendees at both events. She passed out tickets for a complimentary consulting phone call as well. We held an expanded meeting on Wednesday, May 26, 2010 with Linda McKinney on the subject of negotiating contracts. Linda covered; payor contracting, what makes a good contract?
The Medicine Cabinet

How do you know?, How many contracts should you have?, and How to make sure you are getting what you are supposed to be getting.

With in the SCCMS leadership there are attempts to increase the amount of local outreach we do for patient and community education and service. We think this would best be done by supporting already existing programs and enhancing them rather than starting totally new ones ourselves. If any members know of possible partners that already exist in our community who might be open to collaborating with SCCMS on some ongoing or nascent health care project, please let us know at 479-7226 or e-mail <sccms@cruzmed.org>. The patients can be insured or uninsured, they can be healthy or ill; it just must be a local project within the scope of health care for patients in our community.

For example, the SCCMS Board of Governors is working on finding partners to help the schools and parents with educating children and adolescents about the long and short term dangers of drug abuse. Partners could be schools, clinics, physician offices, sheriff or police, drug rehabilitation clinics, nurses, PTAs, chamber of commerce, dentists, pharmacists, etc. The BOG is presently working on a policy statement about child/adolescent drug abuse that would give us a foundation for our group efforts.

MRK/mrk 06/16/10

A huge ‘Thank You’ to the 2009-2010 Board of Governors!

Back row (LtoR): Dean Kashino, Gordon Lee, Christopher O’Grady, Joydip Bhattacharya, Rosalind Shorenstein, Jack Watson, and Don Hernandez.
Front row (LtoR): Dave South, Richard Hencke, Jimmy Chung, Hannah Farquharson, and Jeannine Rodems.

The Santa Cruz County Medical Society and CMA are pleased to announce a new 10-year and 20-year Term Life program for members. You now have a choice of locking in your premium rate for the first 10 or 20 years of your policy, enabling you to achieve dramatic premium savings. And you can apply for limits of up to $1,000,000!

Now is the time to take a good look at the SCCMS/CMA plan if:

- It has been more than one year since you last reviewed your life insurance protection
- You had a change in lifestyle (e.g., married, had a child, adopted a child, taken out a mortgage or business loan or invested in a new practice)
- The long-term assets that you once counted on for your financial planning no longer seem as secure as they once did

- You think you may be paying too much
- The amount of coverage provided by your medical group isn’t enough and you can’t take it with you if you leave

Call Marsh today at 800-842-3761 for information on this new program and to determine how you can save on your life insurance!

*The initial premium will not change for the first 10 or 20 years unless the insurance company exercises its right to change premium rates for all insureds covered under the group policy with 60 days advance written notice.

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CA Ins. Lic. #0633005 • AR Ins. Lic. #245544
New SCCMS BOG policy on Child/Adolescent Substance Abuse

At the SCCMS Board of Governors meeting June 15, 2010 the following policy statement was passed. If you have any comments or ideas to further or modify these goals, please let us know directly or through one of the elected BOG members:

15 June 2010 Jack Watson resolution policy statement for SCCMS on teen drug use and abuse.

Whereas: Child/Adolescent substance abuse in Santa Cruz County is more prevalent than in the rest of California and is increasing,

Whereas: SCCMS can state definitively that there are negative lifelong consequences for health and well-being from early substance abuse,

It is resolved that: SCCMS Board of Governors strongly supports all appropriate efforts to reduce child/adolescent substance abuse through methods such as raising awareness, educating, guiding, counseling, advising, and offering alternatives, opportunities or other constructive modalities.

The above was discussed and modified during the SCCMS BOG meeting June 15, 2010. Moved O’Grady, Second Shorenstein, and unanimously approved.

MRK/mrk 06/17/10

The Physicians’ Art and Music Show Wants You!

Are you an artist or musician? Are you interested in showing your artwork? How about performing during the Charity Benefit evening?

Artwork is set-up on Tuesday, September 7th and taken down on Monday, September 13th. If you are interested in adding your creativity to the show, contact the Artistic Director, Lenny Gerstein at lennyger@pacbell.net or call SCCMS at 479-7226.

Want to share your musical talent by playing an instrument, singing, or presenting your band? Then contact Music Director Josh Novic at novicj@pamf.org or call SCCMS at 479-7226.

Help is always needed for the Charity Benefit evening, June 10th. You may volunteer several hours or just a couple. The food and supplies must be purchased, prepared, and presented on tables. Water, and possibly, wine needs to be poured. Set-up is at 4:30pm and clean up is at 8:30pm; each takes about 1 hour. If you are available to help, even a little, please call SCCMS at 479-7226 or e-mail to sccms@cruzmed.org.
Employer Options When Creating or Modifying a Vacation/PTO Plan
By Melissa Irwin, SPHR-CA

Employers are not required to provide paid vacation/PTO to employees. However, in CA, when an employer chooses to do so, there are regulations around specific components of such policies.

**Employer Chooses Specifics of the Policy**
When creating or revising a policy, the employer has many choices:
- which job classifications (full-time, part-time, seasonal, temporary) are eligible
- how much time is earned (and if at a pro-rated rate for less than full-time)
- when employees begin to earn vacation/PTO time (i.e. upon hire, after Introductory Period, after 1 year)
- a reasonable “cap” on accrual (typically at 2 times the current accrual rate, future accrual is suspended until the employee takes time off to bring the level below the cap)
- when the employee can take time off
- how to request time off, and many other provisions.

**CA Labor Commissioner Sets Regulations**
- Vacation/PTO rights *vest* on a daily basis, which means that once an employee has earned vacation, it must be treated like money in the bank for that employee and can never be taken away.
  - A “use-it-or-lose-it” policy, in which employees lose earned vacation/PTO which is not taken by a specific time, is specifically prohibited.
  - Since vacation accrued is considered wages, all accrued but unused vacation must be paid out at the separation of the employment relationship (even for an employee who has accrued vacation which he/she was not yet eligible to take).
    - Accrued but unused vacation/PTO must be paid out at the employee’s current rate of pay, regardless of the rate at which it was earned.

**A case for unbundling PTO into Vacation and Sick**
Unlike vacation/PTO, paid sick time is *NOT* a vested benefit and does not have to be paid upon separation of employment. Additionally, unlike vacation/PTO, paid sick time does *NOT* have a prohibition against a “use-it-or-lose-it” policy. Due to these two points, many employers are rethinking their PTO policies and are unbundling into traditional vacation and sick policies.

If you would like to discuss changing your PTO/Vacation/Sick policies, please contact Melissa Irwin at melissai@tpohr.com or 831-647-7292 for assistance.
Meaningful use of EHR is coming! Be prepared to accept the Federal HIT stimulus money over the next five years!

CMA is carefully following and commenting on the details of what constitutes “meaningful use of EHR” under Medicare rules so that physician members can qualify to receive the incentive funds promised by congress. The rules are still as unformed as quick sand and require attention and a strong voice to make them truly meaningful and attainable.

SCCMS is working with CalHIPSO (the California State REC) and will work with whoever they chose to run the local regional LEC to give all physicians, approved service providers, and acceptable vendors a common meeting place to make desired connections. To this end SCCMS helped hold the 2nd annual vendor neutral EHR Demo Day under the leadership of Chris O’Grady, MD, Freedom geriatric and family physician, in partnership with Bill Beighe, IT VP of PMG of SCC on Saturday June 19, 2010. In the PMG computer lab a score of local physicians attended and were exposed to half a dozen software programs actually used by local colleagues.

MRK/mrk 06/16/10
CMA Members’ New Benefit - Heartland Payment Systems

Our CMA Membership Department along with the CMA Member Benefits Committee (which includes several executive directors from our component medical societies and CMA staff) frequently review options to expand benefits to offer our membership. If you run across a program/service that you think would be valuable for the committee to review, please don’t hesitate to let SCCMS know.

A new benefit provider is Heartland Payment Systems®. Heartland’s services include: Merchant Services, Payroll Services and Check Management. They also offer the ConfirmPay program—a Patient Payment Management Solution.

CMA Preferred Provider Heartland Payment Systems ConfirmPay, powered by TransEngen, provides CMA/SCCMS members with a solution to ease the collection of patient payments and improve the practice’s bottom line.

Four challenges that impact a practice’s bottom line:

- Manual and slow processes used to verify patient insurance benefits creating resource issues and increased staffing costs
- Insufficient information at the Point of Care to determine a patient’s payment responsibility, delaying reimbursement and creating confusion for patients
- Delayed reimbursement impacting a practice’s cash flow and increasing patient A/R that goes uncollectible
- Manual processes to link payments to patients and posting into a practice’s billing system, causing errors and inefficient use of staff time.

Whether your practice is feeling the impact from one or all of the above, ConfirmPay can help with a comprehensive solution that helps practices to identify and manage the risk of multiparty reimbursement (payer and patient) and the ability to collect any form of payment from anywhere your practice interacts with a patient before, during or after the visit. This tool helps you make it easier to collect from patients and gives you the ability to report and automatically post transactions back into your practice management system. ConfirmPay will positively impact your bottom line.

ConfirmPay provides:

- Real time insurance eligibility verification to over 440 payers, including detail on a patient’s remaining deductible, co-pay and co-insurance.
- The ability to “estimate” reimbursement from both payer and patient for specific procedures based upon contacted rates and a patient’s benefits.
- The ability to provide a “patient friendly” printout of a patient’s benefits, enabling a practice to start dialogue with patients about what they will owe.
- Acceptance of any form of payment (credit, debit, ACH, cash, check) from any location (Point of Care, telephone, mail, 3rd party billing partners, online).
- A set of payment management tools to make it easier to collect from patients (secure card on file, recurring payments, online patient payment portal).
- A robust reporting to enable you to track and manage collections across multiple locations and through multiple parties.
- The ability to automatically link all payments with a patient and to post all patient payment directly into your practice management or practice billing system.

Heartland also provides direct processing for Visa/MasterCard, all-inclusive electronic Payroll Processing, Check Management and Gift Cards. For more information SCCMS asks you to contact our local Heartland representative, Kyle Wade at (831) 334-0578 or Kyle.Wade@e-hps.com.
SCCMS Membership News

New Members

GARRY CRUMMER, M.D.
Pediatrics
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CHARLEA MASSION, M.D.
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ROBERT KEET, M.D.
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Santa Cruz CA 95060
phone: 706-2220
## 2010 SCCMS Calendar of Events

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<th>Date</th>
<th>Event</th>
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<tr>
<td>July 5</td>
<td>Holiday - SCCMS office closed</td>
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<tr>
<td>July 14</td>
<td>Practice Managers meeting</td>
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<td>July 20</td>
<td>Board of Governors meeting</td>
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<td>Aug TBA</td>
<td>BOG Strategic Retreat</td>
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<tr>
<td>Sept 6</td>
<td>Holiday - SCCMS office closed</td>
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<td>Sept 7-12</td>
<td>Physicians’ Art &amp; Music Show</td>
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<td>Sept 21</td>
<td>Board of Governors meeting</td>
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<td>CMA HOD in Sacramento</td>
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<td>Oct TBA</td>
<td>Winter Membership Dinner</td>
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### The Santa Cruz County Medical Society Mission Statement

We pledge to advocate for the professional practice of medicine, excellent patient care, public health and the education and well being of patients and physicians.

We believe that the patient-physician relationship is vital in the healing process; the continual improvement of this relationship will be our guide.