As predicted, the 78th session of the Texas legislature has proven to be very interesting and challenging. In addition to the highly publicized tort reform bill (HB 4 and HJR 3) that passed the House and is currently in the Senate, TSP is actively following a number of other bills related to pathology. These include bills pertaining to forensic laboratories, balance billing by hospital based physicians, pathology reporting of certain gynecology cases, the TSBME, and organ donations among others. We also joined with CAP, the Association for Molecular Pathology and the American Association of Clinical Chemistry in commenting on the TrailBlazer proposal to deny Medicare payment for certain molecular tests. At this time, the outcome is still uncertain in many of these, but the dialogues continue and we remain hopeful.

Plans are underway for a joint 2004 TSP Annual Meeting and UT-Southwestern Clinical Pathology conference. This combined meeting will be a tribute to Vernie Stembridge, MD. The meeting will begin with the UT-Southwestern Clinical Pathology course. UTSW’s course will begin on Wednesday and continue to Friday noon. The TSP Annual meeting will begin Friday afternoon and continue through the weekend, culminating with the House of Delegates meeting on Sunday morning. Be sure to watch for the meeting notice, make plans to attend and join your colleagues in honoring Dr. Stembridge, a truly great Texas pathologist.
**CAP-RF Spring 2003 Report**  
*Andrea M. Sheehan, MD*

With 53 residents representing 34 states, including 2 from Texas, the CAP Residents’ Forum had a rousing meeting at the Spring 2003 meeting in Washington DC with elections, several resolutions, and a resident education session. After opening remarks from CAP President Paul Raslavicus, MD, Teresa M. Cox, MD was elected alternate delegate to the AMA-RFS and J. Thomas Molina, MD was elected alternate delegate to the CAP House of Delegates. Of note, both received the 2002 CAP Foundation Young Leader Award.

Resolutions adopted included use of virtual microscopic slides, ethics training, study resources for the ABP exam, two graduating classes in 2006, appreciation and recognition for contributors to the Performance Improvement Program in Surgical Pathology, and involving unsuccessful applicants and candidates for the forum executive committee in the RF. The only defeated resolution, and the one generating the most heated debate, asked the CAP to help increase the autopsy rate.

Following lunch with the CAP HOD, distinguished panelists (Kenneth D. McClatchey, MD, M. Elizabeth H. Hammond, MD, Rebecca L. Johnson, MD, and Michael S. Brown, MD) discussed “Preparing for the ABP board exam,” “Writing papers and getting published,” “How to get a job,” “What to expect the first year of your first job,” and “Current and future trends in the field of pathology.” The day ended with a CAP reception and more opportunities to hobnob with CAP members. Many residents stayed during the USCAP meeting to present their posters and platforms and sit in on some of the offered courses. All in all, residents enjoyed a lively and energetic meeting and look forward to the next RF meeting in San Diego in September.

Residents interested in becoming a delegate or alternate delegate to the CAP-RF are encouraged to contact Shari Rhodes, CMP, TSP Executive Director.

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**CAP House of Delegates Update**  
*John D. Milam, MD*

The College of American Pathologists House of Delegates (CAPHOD) met in conjunction with the United States and Canadian Academy of Pathologists (USCAP) Annual Meeting in Washington, DC. Both the House and the Residents’ Forum meetings were held simultaneously on March 22, 2003. The CAP House of Delegates receives reports on the activities of the College and initiates its own business through the passing of resolutions which is a principal means by which the House of Delegates achieves its goals and offers direction to the CAP Board of Governors.

Discussions at the meeting reflected a spirit of revitalization of the CAP House of Delegates. As part of the College’s overall strategic plan, the House of Delegates is striving to revitalize the House by implementing the following:

- Changing the culture of the House of Delegates Steering Committee into a proactive body that critically analyzes the actions of the Board and the councils, creates ad hoc House committees to address the identified issues, and converts these findings into resolutions for House consideration.

- Enhancing the role of the House of Delegates in setting and reviewing College policy.

- Thoroughly investigating the current composition and selection process of the House of Delegates to determine whether it is truly representative of the CAP membership and how to make the House more active.

Among the many resolutions discussed, resolution S2003-15 was unanimously carried by the House in recognition of the “dedicated and effective tenure of Garry F. Rust, MD, FCAP, as Chair of the Texas Delegation.”

The CAP House of Delegates will reconvene at the CAP’03 meeting Saturday afternoon, September 13, 2003. CAP’03 will be an outstanding meeting. All CAP members are welcome to sit in on the House of Delegates meetings. Currently Texas has 14 positions in the CAP House of Delegates. Should there be unfilled seats not filled by Texas Delegates or Alternate Delegates, other CAP members from Texas may be asked to be seated as a delegate.
Medical Liability Debate Stalled in Senate

The debate over medical liability reform continues in the US Congress. On March 13 the House passed the Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2003 (H.R. 5). Among other important provisions, the bill would cap at $250,000 non-economic damages in liability cases and place attorneys’ contingency fees on a sliding scale to reduce frivolous claims.

Debate on this issue has since slowed in the Senate where a bipartisan bill -- perhaps with caps on non-economic damages on order of $500,000, was being drafted. Movement of a liability reform bill slowed as the war in Iraq began and a key Democrat in the bipartisan effort -- Sen. Feinstein, D-CA, was reluctant to move ahead given strong opposition from the California Medical Society to a $500,000 cap. Despite Republican control of the Senate and strong administration support for medical liability reform, the issue faces an uphill battle in the Senate, where reform efforts died last year.

The College of American Pathologists has made available a toll-free hotline for use by pathologists to contact their senators and urge support for strong liability reform legislation. All pathologists are encouraged to call the hotline at (866) 972-8888, key in the access code, 7284 (PATH), and their ZIP code and follow the instructions for reaching the Capitol Hill offices of their senators.

Source: CAP PathNet April 18, 2003 Volume 5, Issue 16 and CAP STATLINE April 2, 2003 Volume 19, Number 7

TECHNICAL COMPONENT BILLING UPDATE

CAP-supported rural health care legislation introduced recently in the House and Senate contains language to permanently give certain independent laboratories the right to bill Medicare directly for the technical component (TC) of physician pathology services. This permanent “grandfather” would apply to laboratories providing TC services to hospitals that had such arrangements as of July 22, 1999. Reps. Mark Foley, R-Fla and John S. Tanner, D-Tenn, introduced the bipartisan technical component bill “Physician Pathology Services Continuity Act of 2003” (H.R. 1675) introduced in the House by Reps. Jerry Moran, R-Kan, and Earl Pomeroy, D-N.D. These bills would make permanent current Medicare policy, set to expire at the end of this year, that enables independent laboratories to bill Medicare directly for the TC of inpatient and outpatient services. If the grandfather expires, laboratories would have to bill hospitals for TC services, an administratively burdensome and costly requirement. The College and others have argued that eliminating the grandfather provision could ultimately force some hospitals, especially smaller facilities in rural areas, to scale back or eliminate some surgical services.

The Medicare rule change requiring independent laboratories to bill hospitals for TC services originally was to begin Jan. 1, 2001. But 2000 legislation delayed the change through the end of 2002 and a one-year temporary extension, through the end of 2003, was granted in a Program Memorandum (PM) from the Centers for Medicare and Medicaid Services (CMS) in late 2002.

Source: CAP STATLINE Online 12-20-02 and CAP STATLINE April 16, 2003 Volume 19, Number 8 and May 14, 2003 Volume 19, Number 10

MEDICARE FEE SCHEDULE UPDATE

The Medicare Payment Advisory Commission testified last month before the House Ways and Means Health Subcommittee reiterating the commission’s conclusion that the “sustainable growth rate” formula behind Medicare payment updates must be replaced. Most physician groups have made the same arguments, saying the SGR formula’s link to growth in gross domestic product doesn’t accurately reflect changes in physicians’ practice costs.

The formula’s use and past errors in estimates of formula components resulted in a 5.4 percent cut in physician payments last year and, were it not for intense lobbying by physician groups, would have brought another 4.4 percent cut this year. But, Congress acted to make changes that prompted a 1.6 percent increase in payments for 2003. The Centers for Medicare and Medicaid Services says it expects another 4.2 percent cut in payments for 2004, however.

Source: CAP STATLINE April 2, 2003 Volume 19, Number 7 and April 30, 2003 Volume 19, Number 10
MEMBER NEWS

John G. Batsakis, MD, professor emeritus at the University of Texas M.D. Anderson Cancer Center and internationally recognized leader in head and neck pathology, received the 2002 ASCP/CAP Distinguished Service Award. This award is presented to an ASCP and CAP member for outstanding contributions to the field of pathology.

John D. Milam, MD, was awarded the 2003 Harlan J. Spjut Award by the Houston Society of Clinical Pathologists in recognition of his scholarly activities, teaching, leadership, patient care and service to pathology. He also was elected to the CAP House of Delegates Steering Committee as a member at large.

James Thomas Molina, MD, PhD, junior member of the TSP and a resident at the University of Pittsburgh Medical School, received the 2002 Young Leader Award from the CAP Foundation. This award is given to young physicians who demonstrate outstanding leadership qualities during their residency training and have demonstrated an interest in national health care policy issues and a desire to become more involved in policy setting arenas.

The TSP offers congratulations to all.

Note: The Focal Point welcomes member announcements. Submissions should be made to Shari Rhodes at shari.rhodes@texmed.org.

PLACEMENT CORNER
(Updated 5/7/2003)

- PL-004: Experienced pathologist is available for part-time work in South Texas or statewide Locum Tenens. Contact Maurice Ballas, MD, at (361) 949-8385 or mballas@alumni.rice.edu.
- PL-017: Solo Pathologist seeking regular locum tenens coverage for a rural hospital-based practice in East Texas. Practice involves general surgical pathology and cytopathology, but no autopsies. Potential to become full partner. Send CV to: Johnny L. Bowen, MD, P.O. Box 3519, Palestine, TX 75802 or fax to: (903) 731-1092.
- PL-023: I have two needs for Staff Pathologists in the state of Texas. We are looking for two Pathologists to set the clinical direction of this facility reading more than 5,000,000 panels annually. The lab is going under a $4,000,000 expansion and needs two staff pathologists that are comfortable in both the lab environment and also working with the Administration and clients. It is an excellent opportunity to learn the business aspects and Lab Management - Directorship side of running a Regional Lab. Pay is $190,000 to $215,000 dollars. NO CALL week or weekend!!! They had a 33% increase last year in revenue and are working with 2000 Physician clients. They support 3 other states besides Texas. They will have a major impact in the direction and design of the new lab as well. The local area amenities include symphony, theater, musicals, art galleries, and museums. There are numerous city parks, country clubs, and a civic center. The area has a great deal of camping, hiking, hunting and fishing in the nearby state parks. There is a great choice of living in the town, off the golf course, or in the country. Local malls make the shopping, dining, and entertainment available. This offers excellent school systems. Beautiful rolling hills and green landscapes. Let me know if you need any further information, you can reach me at the following contact info. This opportunity is ready to begin interviewing immediately. Contact: Steve Baughn C2P Group, LLC. Direct Dial: 972-692-9748 Direct 888: 888-715-5526 sbaughn@c2pgroup.com www.c2pgroup.com

LOCUM TENENS LISTINGS

The following individuals are available for locum tenens. Please contact them directly for further information and references.

Maurice Ballas, MD (361) 949-8385
Jacqueline Torell, MD (254) 776-8139

Make plans to attend the Young Pathologists Section Retreat, August 1 & 2 in Galveston. More information will be mailed in a few weeks.
YPS Report

Steven Kroft, MD

The YPS continues to grow, with membership at 253 as of this past January. We owe much of the growth in the YPS to our residency liaisons, whose enthusiastic efforts have brought many residents into the TSP as junior members. The residency liaison program will continue, with the goal of 100% membership among the residents in the state’s programs. In addition, we will intensify our efforts to ensure that junior members elevate their status to regular membership and remain in the TSP once their training is complete.

Last year’s YPS retreat was a success, with excellent educational sessions, a family-friendly venue, and enjoyable social and networking events. We return to the same location for this summer’s YPS retreat, which will take place at the Moody Gardens Hotel in historic Galveston on August 1st and 2nd. The hotel is directly adjacent to Moody Gardens, which features attractions such as the 130,000 square foot/1.5 million gallon Moody Gardens Aquarium, the Discovery and Rainforest Pyramids, and IMAX theaters. It’s a great place for kids, and hopefully many of you will be able to bring your families. This year we look forward to lectures on medical malpractice by Dr. David Troxel and on preparing for CAP inspections by Dr. Frank Sharkey. In addition, we are planning a roundtable discussion on TSP activities featuring distinguished members of the Society. Remember, if you are a TSP member who is out of training for less than ten years and/or are less than 45 years of age, you are automatically a member of the YPS. I hope that you will be able to join us for this fun and educational weekend in Galveston. I look forward to seeing you there!

TREASURER’S REPORT

Marshall E. Hamilton, MD

The Society is solvent; and as I view the Profit & Loss statement, there are no disturbing trends identified for either 2001 or 2002 fiscal years. In my opinion we are beginning to curtail unusual expenses at our meetings and we are also curtailing the administrative expense of staff time. Although this continues to increase, it is primarily due to staff performing many routine committee tasks that should be performed by the members. Annual meeting expenses this year are quite in keeping with our goals. It is hoped that we will continue to make improvements in the coming year.

DON’T FORGET!

Your nominations for awardees of Caldwell and Citation of Merit are due! Contact John Milam, MD at john.d.milam@uth.tmc.edu or Shari Rhodes at shari.rhodes@texmed.org or call (800) 880-1300, ext. 1510.

Membership Update

Rodolfo Laucirica, MD

Our goals during 2002 were twofold: 1) To increase the number of new members in the TSP, and 2) Create a membership brochure highlighting the pivotal role of the TSP in promoting the practice of pathology in Texas.

During 2002, the membership committee redoubled its efforts to recruit new members to the Society. Additional pathologists throughout the state were also asked to help recruit new members in their particular geographic region. Based on the hard work of these individuals, there are currently 422 active and 158 junior members in the TSP. In addition, 5 new applications for active membership have been received since the start of 2003. The membership committee is grateful to all those who contributed to this successful membership drive. Hopefully we can continue to increase our membership this coming year.

As a means to advertise the TSP to potential members, new brochures were created for active and junior membership in the society. These brochures were distributed to potential members during the annual meeting in January and will soon be sent to pathology chairs and program directors throughout the state. The Membership Committee feels certain that these brochures will enhance the visibility and promote the goals of the Society to prospective members in Texas. Brochures are available by contacting Shari Rhodes, CMP, Executive Director of the TSP.

Finally, an ad hoc committee chaired by Dr. Tom Wheeler is currently exploring ways by which PhD’s that are involved in the practice of pathology may participate in the Society. Given the important role these scientists play in the development and application of molecular tests, their expertise would be of benefit to the Society and its medical members as these tests move from the research arena to clinical laboratories.
Dr. Susan M. Strate, our 2003 Caldwell honoree, is recognized as a dedicated physician and an inspiring leader. She is one of Texas’ most exceptional physicians.

Susan was born to Paul J. and Evelyn Kasten Strate in Lincoln, Nebraska on November 14, 1952. She grew up on the family farm in Greenwood, Nebraska and, being the oldest of four children, was assigned chores beginning at the age of four. She operated large farm equipment and worked after school and during the summers. Her mother, an elementary school teacher, frequently inspired her children to learn with flashcards and drills at home. She graduated as valedictorian from Ashland-Greenwood High School in 1971, where she played on the varsity volleyball team, was elected into the Society of Outstanding American High School Students, and received the American Youths Foundation William H. Danforth “I Dare You” award for qualities of leadership with the challenge to “aspire nobly, adventure daringly, and serve humbly.”

Susan attended the University of Nebraska in Lincoln, majoring in pre-medical technology and pre-med. She was a member of Alpha Lambda Delta, an honors society, and a Regent’s scholar. In 1974, she participated in the Miss Cass County pageant as Miss Greenwood. After finishing pre-med coursework, in order to finance her medical education, she was employed by Pathology Medical Services P.C., where she served as a phlebotomist, lab assistant and diener, spending the majority of her time at Lincoln General Hospital. She attended the University of Nebraska College of Medicine in Omaha, graduating in 1979. During medical school, Dr. Jerald R. Schenken, renowned pathologist at the Nebraska Medical Center, taught her that pathology was a profession that knew no boundaries. Although it was a fierce battle, the microscope won out over the scalpel in her final choice of a specialty.

Dr. Strate completed a residency in clinical and anatomic pathology at the University of Texas Health Science Center in Dallas with Drs. Vernie A. Stembridge, John Childers, and Fred Silva. She did an elective at the M.D. Anderson Cancer Center in Houston, and worked at the Southwestern Institute of Forensic Sciences in Dallas with Dr. Charles Petty. During residency she published papers in Cancer, the American Journal of Clinical Pathology, and Archives of Pathology and Laboratory Medicine.

In July 1983, she began practice in Lansing, Michigan with Lansing Area Pathologists, a large group practice. North Texas Medical Laboratory in Wichita Falls quickly recruited her back to
Texas in July 1985. In Wichita Falls, she became known for her high energy level and leadership skills. She served as president of the medical staff of Wichita General Hospital in 1995, president of the Wichita County Medical Society in 1996, and member of the Wichita General Hospital Foundation Board of Directors. She has served as executive editor of Wichita Falls Medicine since 1988, a publication widely read locally and afar. A member of the Board of Directors of the Wichita Unit of the American Cancer Society, she has served as Chairman of the Early Detection Committee. She has helped develop and implement local health policy as a member of the Wichita Falls/Wichita County Public Health Board since 1998.

Respected for her sound judgment and advocacy of cooperative relationships among physicians in the community, Dr. Strate is a founding member of Texoma Independent Physicians, a 150+ physician IPA in Wichita Falls. She is serving her seventh year as president. She serves as Chairman of the Department of Pathology and Director of Laboratories of Kell West Regional Hospital, a physician-owned acute care hospital that opened in 1999. Dr. Strate is medical director of other clinical laboratories in the North Texas region including the Wichita Falls-Wichita County Public Health Department laboratory. As president of the North Central Texas Medical Foundation, she played a major role in navigating the UT Southwestern-affiliated Wichita Falls Family Practice Residency Program through a time of political and financial turbulence.

Susan has found time to be active in civic affairs as a member of the Wichita Falls Board of Commerce and Industry, the Midwestern State University President’s Excellence Club, and the Wichita Falls Symphony Board. She is one of the most frequently quoted physicians in the Wichita Falls news media. Dr. Strate has developed strong relationships with her local, state, and national legislators, who frequently seek her opinions on the issues at hand. She has testified before legislative and regulatory bodies in Wichita Falls and Austin.

She served as editor of Texas Society of Pathologists newsletter, Focal Point, from 1989 to 1996, helping develop the name, tagline, logo and format used today. She was president of the Texas Society of Pathologists during the Diamond Jubilee celebration in January 1996 and has been Chairman of the TSP Heritage Council since 1996.

Dr. Strate has served as a delegate to the Texas Medical Association House of Delegates since 1988, as a member of the TMA Blood and Tissue Usage Committee, the TMA Interspeciality Society Committee, Chairman of the TMA Patient Physician Advocacy Committee, Chairman of the TMA Ad Hoc Committee on Patient Safety, and serves on the Texas Medical Association Political Action Committee (TEXPAC) Executive Committee as a TEXPAC District Chair. She is serving her second 3-year term on the Board of Trustees of the Texas Medical Foundation and now serves on the Board of Trustees of the TMA Foundation.

She serves as alternate delegate to the American Medical Association from the College of American Pathologists and has been appointed to the AMA/Specialty Society RVS Update Committee (RUC). She has served as a member of the Voluntary Hospitals of America Southwest Physician Council, as a Texas delegate to the College of American Pathologists House of Delegates, as a member of the CAP Spokesperson Bureau, as a Pathnet Advocate, as a Deputy State Commissioner for the Laboratory Accreditation Program, as a member of the CAP Finance Committee and as a member of the CAP Ad Hoc Committee on Clinical Practice and Payment. She has been appointed to the CAP Economic Affairs Committee.

She received the College of American Pathologists Foundation Lansky Award in 1996, the Wichita General Hospital Philip A. Carpenter Award in 1997, the Ashland-Greenwood School Foundation Outstanding Alumni Award in 1998, and the Point of Excellence Award from the American Cancer Society in 2000. She is listed in “The Best Doctors in America.”

Susan’s energy extends into realms outside medicine. She has done parapente gliding (parasailing) in New Zealand, and flown a glider over the Grand Tetons. She is a licensed private pilot, certified open-water scuba diver, and ballroom dancer. She enjoys playing golf and tennis. Her favorite pastimes include overseas travel, motivational speaking and mentoring, and learning about other cultures and people. Either as a medical missionary or as a visitor, she has traveled to five continents and more than 25 countries.

The Texas Society of Pathologists awarded the 2003 George T. Caldwell, M.D. Distinguished Service Award to Dr. Susan M. Strate on January 25, 2003 at the TSP Annual Meeting.
Citation of Merit Awardee Dr. Roberto Bayardo and Friends

Dr. and Mrs. Ladon Homer and Dr. Susan Strate

Dr. and Mrs. John Milam

Dr. Susan Strate and Family

Drs. Richard Brown & Laura Sulak, Drs. Valente & Wheeler and Dr. René Rone & Mr. Fred Lesieur

Dr. Gordon McGee and Dr. Jerome Wilkenfield

General Session Attendees

Viewing Resident Posters
Residents Forum Panelists and Attendees

General Session Audience

Drs. Margie Peschel and Ladon Homer

TSP Resident Podium and Poster Winners

Dr. Thomas Wheeler bestows the TSP Stembridge Award to Dr. David Bostwick

Residents Forum Panelists
Drs. Richard Brown and Steven Kroft.

Drs. René Rone and Rodolfo Laucirica
For contributing significantly to the advancement of forensic pathology and developing an outstanding medical examiner’s office in Travis County, the Texas Society of Pathologists selected Dr. Roberto J. Bayardo to receive the TSP Andy Andujar Citation of Merit Award.

Dr. Bayardo is a native of Mexico and did his undergraduate work at the Universidad de Guadalajara, Mexico, where he was the valedictorian at his graduation in 1952. He received his M.D. degree from the same university in 1959. Subsequently he did a rotating internship and surgical residency at the Hospital General in Hermosillo, Mexico. After his residency he became a general surgeon for the Hospital del I.M.S.S. in Hermosillo. After two years of practice he realized that in order to improve his skills as a surgeon he needed additional training in the USA. He applied and was accepted as an intern at the St. Mary’s Hospital in Tucson, Arizona. During his internship he elected to have a rotation through the laboratory and pathology service in that hospital. At this time he realized that his vocation was to be a pathologist and not a surgeon. He followed this enlightenment with residencies in pathology at the Good Samaritan Hospital in Phoenix, Arizona and Methodist Hospital, in Dallas, Texas, becoming a Chief Resident in both programs. His training continued as a Fellow in Pathology at Baylor College of Medicine and Methodist Hospital in Houston. His main mentor was Dr. Berne L. Newton, with whom he had a warm friendship that ended at Dr. Newton’s death. At the completion of the fellowship Dr. Bayardo stayed at the Methodist Hospital as an Assistant Pathologist in charge, with Dr. Newton, of the then very active autopsy service. Dr. Bayardo also held an appointment as Clinical Assistant Pathologist at the Baylor College of Medicine and became involved with the teaching of medical students and pathology residents.

After becoming socially acquainted with Dr. Joseph A. Jachimczyk, then Chief Medical Examiner for Harris County, Dr. Bayardo expressed an interest in forensic pathology and was invited to “moonlight” at the county morgue. The work at the morgue during the first months was quite stressful (decomposing bodies) and Dr. Bayardo was ready to quit, but for encouragement by Dr. Joe “give it more time and you will like it.” Those were prophetic words and after a few more months Dr. Bayardo decided to become a full time forensic pathologist. He left Methodist Hospital in 1976 and became an Assistant Medical Examiner for Harris County. The following year he was promoted to Deputy Chief Medical Examiner. In 1978 he also assisted Dr. Robert Bucklin, Chief Medical Examiner for Travis County, on weekends and holidays. When Dr. Bucklin resigned on July 1, 1978 to return to Houston, Dr. Bayardo being at the right place at the right time was offered the position of Chief Medical Examiner. He was reluctant to accept it but again on advice of Dr. Joe “you have to be a chief at least once in your life time,” he took it.

The Travis County Medical Examiner’s Office in 1978 was a year old and had very poor facilities. The morgue was borrowed from the old Brackenridge Hospital. It took 19 years of prodding the Commissioner’s Court of Travis County to finally erect a state of the art Forensic Center that opened on January 1st, 1997. In the beginning the office contracted with 11 surrounding counties to provide them with forensic services, zealously preserving a clearly defined professional component for the pathologist performing the autopsy. As Dr. Bayardo’s professional reputation and exemplary performance became known, more and more counties contracted for his services. At present, Travis County has contracts with 44 other counties. In the year 2000 a total of 931 autopsies were performed for those counties and other private individuals. In the same year a total of 2475 death investigations with 590 complete autopsies were performed for Travis County. Inasmuch as the Travis County Forensic Center effectively acts at least partially de facto as a statewide system it might be appropriate to consider establishing it de jure.

Dr. Bayardo holds academic appointments at Baylor College of Medicine, the University of Texas at San Antonio, and Texas A & M University. Pathology residents at the Scott & White Clinic in Temple, Texas regularly rotate through the Travis County Forensic Center gaining experience in the practice of forensic autopsies. Dr. Bayardo is active in many county, state and national medical associations especially the National Association of Medical Examiners.

Dr. Bayardo has been married to his wife Annie for 37 years. Incidentally, he admires and appreciates her Polish heritage. They have three children: A daughter Anna Fabiola and two sons, Roberto, Jr. and Jose. Roberto, Jr., is married to Sherry and they have three sons.

The Texas Society of Pathologists awarded the 2003 Andujar Citation of Merit Award to Dr. Roberto J. Bayardo on January 24, 2003 at the tsp Annual Meeting.
THE TEXAS SOCIETY OF PATHOLOGISTS
gratefully acknowledges the following Exhibitors and Supporters for their support of the 2003 Annual Meeting in Houston, TX.

Applied Diagnostics Inc.
Applied Imaging
Cell Marque Corp.
CYTYC
IMPATH Inc.
Leeds Instruments, Inc.
Lippincott Williams & Wilkins
Medical Billing Services, Inc.
Olympus America, Inc.
Pathology Service Associates, LLC
Per-Se Technologies
ProPath Laboratory
Texas Medical Liability Trust
TriPath Imaging, Inc.
W.B. Saunders/Mosby/Churchill Livingstone

Society Encourages Alternative Forms of Communication

In an effort to curb the rising communication costs of the Society and to maintain current dues, the TSP Board has voted to increase Society usage of alternative forms of communication with Society members, including e-mail, fax and website postings.

In this effort, all members are encouraged to provide their e-mail address and fax number for Society use. It is the policy of the TSP that this information will be used only for official TSP or related entity business, will be kept confidential and will never be sold or otherwise shared with outside parties.

The plan is to utilize the web-site (www.texpath.org) to post transactions of the Board and House of Delegates and other Society information. Meeting announcements, dues statements, etc. will be sent via fax or e-mail. Eventually, the Focal Point may be converted to an electronic format.

Please, help the Society contain its communication costs by providing your e-mail address and fax number to Shari Rhodes, TSP Executive Director. For those TSP members without these forms of communication the Society will, of course, continue to use regular mail.

IN MEMORIUM

JOHN V. DENKO, MD
November 22, 2002
Amarillo, Texas

WALTER R. HATHAWAY, MD
December 7, 2001
San Antonio, Texas

FRANZ LEIDLER, MD
July 18, 2001
Houston, Texas

ROBERT MCNEELY, MD
January 21, 2003
Houston, Texas

Consultants Sought

The Texas State Board of Medical Examiners (TSBME) is soliciting names of practicing physicians to serve as consultants. The Board uses these consultants to evaluate medical records as part of the complaint investigation process and to testify in formal hearings. The consulting physicians “should have demonstrated expertise in their field and have no significant complaint or malpractice history.” They are requesting the names of five to ten TSP members who are willing to serve as expert consultants to the Board. Reimbursement for this consulting service is $60 per hour. When serving as a consultant to the TSBME, you are protected from civil liability.

If you are interested in serving as a pathology consultant to the TSBME, please contact Dr. René Rone (vrrone@pol.net) or Shari Rhodes in the TSP office (shari.Rhodes@texmed.org).
TSP HOUSE NEEDS DELEGATES

The TSP House of Delegates, the official governing body of the Society, with full governance of all TSP policies, expenditures, presentations to local, state and national governments and election of TSP officers, is in need of nine delegates and five alternate delegates. The House, composed of 27 delegates and their alternates from 9 districts throughout the state, meets once each year in conjunction with the annual meeting. Current vacancies exist in districts 5-9, which encompass all areas of the state except Houston and upper east Texas. If you are interested in serving the Society in this important capacity please contact Shari Rhodes, CMP, TSP Executive Director at 1-800-880-1300 ext 1510 or shari.rhodes@texmed.org.

NEW MEMBER LISTING

The following members and status changes were approved on January 24, 2003:

Approved for Active Membership:
- Jacki Abrams, MD, Houston
- Sheryl L. Asplund, MD, Dallas
- Nancy P. Caraway, MD, Houston
- Emma Díaz de Leon, MD, Edinburg
- Polly K. Gauthier, MD, Houston
- Alexandra Jean Gillespie, MD, Dallas
- Daniel L. Grimmer, MD, Houston
- Stanley R. Hamilton, MD, Houston
- Jeffrey R. Herbert, MD, Austin
- Marisa R. Lanuza, MD, Sugar Land
- Syed Moshin, MD, Houston
- Thu H. Ngo, MD, Sugar Land
- Juan P. Olano, MD, Galveston
- Syed Fiaz Quadri, MD, Houston
- Cory A. Roberts, MD, Dallas
- Assaad Joz Saad, MD, Dallas
- Nina Tatevian, MD, Houston
- Octavio Trejo, MD, El Paso
- Edward O. Uthman, MD, Houston
- Mamoun Younes, MD, Houston

Approved for Junior Membership:
- Timothy Craig Allen, MD, Houston
- Ilene B. Bayer-Garner, MD, Houston
- Omar R. Chuhtagai, MD, Houston
- Sandy Cope-Yokoyama, MD, Houston
- Megan K. Dishop, MD, Houston
- Michelle Ehrlich, MD, Houston
- Ian Jaffee, MD, Houston
- Liang Liu, MD, Houston
- Cristina Montalvo, MD, Houston
- Michael Brandon Parrott, MD, Houston
- Ashley G. Perna, MD, Houston
- Paul Stewart, MD, Houston
- Chuladda Vejabhuti, MD, Houston
- Syed Fiaz Quadri, MD, Houston
- Cory A. Roberts, MD, Dallas
- Assaad Joz Saad, MD, Dallas
- Nina Tatevian, MD, Houston
- Octavio Trejo, MD, El Paso
- Edward O. Uthman, MD, Houston
- Mamoun Younes, MD, Houston

Residents’/Fellows’ Seminar Report 2003

V.O. Speights, Jr., DO

The annual TSP Residents’/Fellows’ Seminar was held at the Omni Hotel, Houston, TX on January 24, 2003. Eighty-five abstracts (twice the usual number) were submitted for presentation at the seminar. This large number of submissions did not reflect any sacrifice of quality for quantity; undoubtedly many of these will result in presentations at national meetings and publications in the near future.

Six abstracts were selected for podium presentations with awards given as follows:

1st place: Julie Gorske, MD from Scott & White, Temple for “VEGF Expression in Stage II Colon Cancers: Immunohistochemical Study and Correlation with Survival Data.”

2nd place: Christine C. Esber, MD from Scott & White, Temple for “Comparison of Her-2/Neu Estrogen and Progesterone Receptor Status of Invasive Breast Carcinoma in Core Biopsy and Lumpectomy/Mastectomy Specimens.”

3rd place: Deepali Gupta, MD from UTIHC Houston for “Comparison of Fluorescence and Chromogenic In situ Hybridization for Detection of Her-2/Neu Oncogene Expression in Breast Cancer.”

The remaining submissions were presented as posters with awards given as follows:

1st place: Michael Powell, MD from Baylor Houston for “Image Analysis Quantitation of Nerve in Normal and Diseased Prostates.”

2nd place: Swarupa Gadre, MD from UTMB Galveston for “Pulmonary and Cardiovascular Pathology Associated with Obesity.”

3rd place: Ying Ye, MD from UTMB Galveston for “TGF-beta-RII in Usual Ductal Hyperplasia is not Associated with Increased Risk of Invasive Breast Cancer.”

The Committee thanks Robert McKenna, MD, Linda Green MD, and Marjorie Grafe, MD for judging the resident podium sessions and Gustavo Ayala, MD, Rodolfo Laucirica, MD, Thomas Wheeler, MD, John Milam, MD, Regina Verani, MD, and Abida Haque, MD for judging the poster sessions.

This year’s seminar offered quality presentations on a wide variety of subjects. Many thanks to the presenters, mentors, and many other people involved in doing the various research projects and preparing the results for presentation. Thanks also to the members of the Residents’/Fellows’ seminar committee: LaBaron Washington, MD, John Harbour, MD, Terry Bell, MD, Jochewed Werch, MD, Steve Kroft, MD, Richard Brown, MD, and Robert Zirl, MD. Many thanks also to Shari Rhodes, CMP, TSP Executive Director, and Jenny Stewart for their many hours of hard work in making our meeting so successful.

NEW MEMBER LISTING

The following members and status changes were approved on January 24, 2003:

Approved for Active Membership:
- Jacki Abrams, MD, Houston
- Sheryl L. Asplund, MD, Dallas
- Nancy P. Caraway, MD, Houston
- Emma Díaz de Leon, MD, Edinburg
- Polly K. Gauthier, MD, Houston
- Alexandra Jean Gillespie, MD, Dallas
- Daniel L. Grimmer, MD, Houston
- Stanley R. Hamilton, MD, Houston
- Jeffrey R. Herbert, MD, Austin
- Marisa R. Lanuza, MD, Sugar Land
- Syed Moshin, MD, Houston
- Thu H. Ngo, MD, Sugar Land
- Juan P. Olano, MD, Galveston
- Syed Fiaz Quadri, MD, Houston
- Cory A. Roberts, MD, Dallas
- Assaad Joz Saad, MD, Dallas
- Nina Tatevian, MD, Houston
- Octavio Trejo, MD, El Paso
- Edward O. Uthman, MD, Houston
- Mamoun Younes, MD, Houston

Approved for Junior Membership:
- Timothy Craig Allen, MD, Houston
- Ilene B. Bayer-Garner, MD, Houston
- Omar R. Chuhtagai, MD, Houston
- Sandy Cope-Yokoyama, MD, Houston
- Megan K. Dishop, MD, Houston
- Michelle Ehrlich, MD, Houston
- Ian Jaffee, MD, Houston
- Liang Liu, MD, Houston
- Cristina Montalvo, MD, Houston
- Michael Brandon Parrott, MD, Houston
- Ashley G. Perna, MD, Houston
- Paul Stewart, MD, Houston
- Chuladda Vejabhuti, MD, Houston

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This year’s seminar included two panel discussions. The topic of “Getting a Job in Pathology” was discussed by John Harbour, MD, Terry Bell, MD, Richard Brown, MD, and Steve Kroft, MD. This was followed by a discussion on the “Practical Aspects of Getting Involved in Organized Medicine,” with presentations by René Rone, MD, Randy Eckert, MD, and Susan Strate, MD.

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The Texas Cancer Registry (TCR) is in the process of gathering information to determine how to implement cancer reporting by pathology laboratories as required by Chapter 82 of the state Health and Safety Code. Currently there are an estimated 80,000 newly diagnosed cancers in Texas each year, approximately 95% of which are reported to the TCR by hospital tumor registries. An additional 3-4,000 cancer cases are diagnosed and treated solely as outpatients; it is these which the TCR needs our help in detecting and reporting. It should be noted that reporting cancer information to the TCR by law is fully HIPAA compliant and does not require informed consent from each patient.

Pathologists will be asked to identify new cancer cases diagnosed in outpatient facilities (also called non-hospital labs) by electronic (web-based) submission of the patient’s name, diagnosis, and some basic demographic data. In mid March 2003 updated information as well as a survey of the pathology laboratories’ capabilities for electronic reporting was sent to labs throughout the state. For hospital based laboratories the survey is for information only and should not be filled out. Independent (non-hospital based) labs are asked to fill out the survey and return it to the TCR in a timely manner. Once the data from this survey has been collected, the TCR will assess their own abilities to receive and analyze the data. When this is done, a plan for efficient reporting of these outpatient cases can be worked out.

Right now the date of implementation for this reporting by pathology laboratories is uncertain. TCR personnel have assured us that it will not be implemented without adequate notice and without specific, understandable guidelines about how to report and the types of cases which should be reported. No change in your current practice is needed at this time. Questions can be directed to Linda Brown at the TCR, 1-800-252-8059, or Linda.Brown@tdh.state.tx.us. More information about the TCR can be found at www.tdh.state.tx.us/ctcr.
TEXAS ALLIANCE FOR PATIENT ACCESS (TAPA)

Last year, the Texas Society of Pathologists was asked to join the Texas Alliance for Patient Access (TAPA), a non-profit organization formed in January 2002 to address Texans’ ability to access quality health care and to investigate the role of professional liability issues in the decline of health care resources.

The stated goals of TAPA are to:

- Bring fairness, balance and rationality to the health care liability system;
- Improve quality of care by allowing physicians and health care institutions to concentrate on health care delivery problems without legal fear;
- Conduct public policy research on liability reform; and
- Develop a package of liability reform legislative proposals for introduction in the 2003 Texas legislative session.

The Board of the TSP recommends participation of the Society in TAPA as an Associate Member, which entitles the Society to one representative participating on committees and legislative advocacy programs in a non-voting capacity. Associate membership is funded by a contribution of $2,500 or greater. Because the operating budget of the Society does not include such exceptional expenditures, this fee is being funded solely through member donations. To date the Society has collected $1,850 from the membership for this purpose.

Please consider making a donation of $100 (or whatever amount you feel is appropriate) to this worthy cause. Contact the TSP office for more information.

The Society gratefully acknowledges the following contributors to this initiative:

- John Connelly, MD
- Carl Evans, MD
- Steven Foster, MD
- Richard Hausner, MD
- Michelle Hebert, MD
- William Hinchevy, MD
- David Jackson, MD
- Rodolfo Lauzucq, MD
- Medford McCoy, MD
- R.M. Nugent, MD
- V. René Rone, MD
- Franklin Rude, MD
- Garry Rust, MD
- Rhonda Shannon, MD
- Susan Strate, MD
- Phillip Valente, MD
- Sarah Webb, MD

TSP FIGHTS DNA TEST PAYMENT DENIAL

Trailblazer Health Insurance, a local Medicare carrier for Texas, Delaware, Virginia, Maryland, and Washington, DC, has proposed to cease Medicare coverage of 34 genetic-based tests for infectious agents for which no national coverage policies exist. Trailblazer, as a local Medicare contractor, has the discretion to establish medical coverage policies and can deny payment for “services which are not reasonable and necessary for the diagnosis or treatment of illness or injury,” under Medicare rules. Review of the list reveals a number of clinically important tests, including three HPV DNA tests and tests for BRCA1 and 2 mutations. The TSP, in conjunction with the College of American Pathologists, Association for Molecular Pathology and American Association for Clinical Chemistry, is working to establish the clinical necessity and value of these tests and persuade Trailblazer to reverse this decision.

Source: CAP STATLINE April 2, 2003 Volume 19, Number 7
Legislative
E-mail Updates

Did you know you can receive free e-mail updates on state and federal legislative issues? The Texas Medical Association’s Legislative Hotline is available until the end of the 78th Texas Legislature on June 1. It is available as a daily or weekly recap of legislative healthcare highlights. To subscribe, please see the TMA Web site at http://www.texmed.org/hotline.asp

The College of American Pathologists also offers a free electronic newsletter. STATLINE is published biweekly and discusses federal and state legislative and regulatory issues. To view the newsletter look in the Advocacy section of the CAP website (www.cap.org). To subscribe, send an e-mail to statline@cap.org or call 1-800-392-9994.

Note: All articles in Focal Point that mention TSP’s stand on legislation are defined as “legislative advertising,” according to the Texas Gov’t. Code Ann. Statue 305.027. The law requires disclosure of the name and address of the person who contracts with the printer to publish the legislative advertising: Shari Rhodes, CMP, Executive Director, TSP, 401 W. 15th St., Austin, TX 78701.

State News

JUDGE DISMISSES TWCC LAWSUIT

On May 8, 2003 Travis County District Court Judge John Dietz dismissed the lawsuit filed by TMA and the Texas AFL/CIO to prevent implementation of the proposed Texas Workers’ Compensation Commission’s new Medicare based Medical Fee Guidelines. The guidelines would have set the reimbursement rate for physician services at 125 percent of Medicare. TMA is considering its options to appeal this decision. It has not been determined when the new fee schedule will go into effect. Legislation, endorsed by the TMA, has been introduced this session (House Bill 3285) which would require the TWCC to adopt separate workers’ compensation conversion factors for surgery, radiology, pathology, anesthesia, general medicine, physical medicine, and evaluation and management services, to apply the Medicare Economic Index (MEI-annual cost of living index) to the commercial rate for reimbursement of medical treatment, and to add no less than 20 percent costs for administrative burden.

The 2001 Texas Legislature adopted House Bill 2600, which required the TWCC to amend the previous TWCC Medical Fee Guidelines (MFG). At the core of the revised MFG, as adopted by TWCC, was adoption of the Medicare Relative Value Units (RBRVS) system; across the board all physicians would be paid at 125% of the Medicare payment rate based on RBRVS.

For pathologists, the fee reduction for anatomic pathology services on implementation of the revised MFG would be 43%. Of even greater concern was the absence in the initial draft proposal of any compensation for clinical pathology. In response to commentary provided by members of the Texas Society of Pathologists, the MFG ultimately adopted by the TWCC on April 25, 2002 included reimbursement for clinical pathology at 45% of the commission established MAR.

In August 2002, TMA, in a lawsuit filed jointly with the AFL-CIO, successfully obtained injunctive relief, blocking the September 1 implementation of the TWCC MFG. It is this lawsuit that was dismissed by Judge Dietz.

In order to help fund this lawsuit and its legislative initiatives concerning TWCC, the TMA asked the TSP for monetary support. In response, the TSP membership donated $2,850 for this purpose.

The Society gratefully acknowledges the following contributors to this worthwhile cause:

Terry Burns, MD
Carl Evans, MD
Steven Foster, MD
Sherry Gillham, MD
Richard Hausner, MD
William Hinchey, MD
Andrew Kulaga, MD
David Jackson, MD
Paula Larson, MD
Rodolfo Lauzura, MD
Medford McCoy, MD
Robert McKenna, MD
Armando Nart, MD
R.M. Nugent, MD
Gene Richard, MD
Sarah Webb, MD
Garry Rust, MD
Rhonda Sharron, MD
Leena Shroff, MD
James Stinson, MD
Susan Strate, MD
Philip Valente, MD
Mike Waldron, MD

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Have you moved?
Changed your E-Mail?

If you have, please send your changes to:

Texas Society of Pathologists
Attn: Membership Coordinator
401 W. 15th St.
Austin, TX  78701
(512) 370-1521
(512) 370-1626 FAX
email: jenny.stewart@texmed.org

Mark YOUR CALENDAR!

2003
Dermatopathology Board Exam Review Course
June 14-15  Galveston
UTMB

YPS Retreat
Aug 1-2  Galveston
Moody Gardens

CAP’03
Sept 10-14
San Diego

ASCP
Sept 18-21
Hilton New Orleans Riverside

2004
MD Anderson Surgical Pathology Update
Oct 29-Nov 2
Houston

TSP Annual Meeting
January 23-25, Dallas