

NEWSCAST

Metro NY HFMA

Fall/Winter 2022/2023

Volume 52, Issue 2

2022 Metro NY Annual Chapter Golf Classic



North Hempstead Country Club
Monday, July 25, 2022



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PRESIDENT'S MESSAGE



Happy 2023 to all -it is hard to believe the months are flying by- as we reflect back on the past seven months - It is great to be able to catch up and provide our wonderful members and volunteers an update! I am so pleased to be able to write to you and tell you that our chapter is off to a phenomenal start as we “Ignite the Spark” and we continued to be inspired ending 2022 and approaching exciting times in 2023.

I would like to always thank our corporate sponsors who have answered the call for support and with their generosity enable us to provide community outreach and education to our members. Our Corporate Sponsors are the backbone of this organization, and we are lucky to have so many generous sponsors!

It is important for me to share that from the time we left the Annual Business Meeting your Executive Team and Educational Committee’s hit the ground running. Time and effort went into planning our social events that were a huge success such as our Annual Golf Outing and the ever popular and Past Presidents Cocktail Party . These spectacular events that brought our membership out and about and reemerging after bolder and brighter after few very rough years.

While it is hard to believe we have parted ways with summer, our golf outing which brought a bit of rain was still a huge success bringing the highest number of golfers to the greens in quite a few years – thank you to our golf committee. We coordinated a fun Friday Night under the Lights at Citi Field and kicked off a great evening and Labor Day Weekend. Our Holiday Party in December brought record attendance and we had a fantastic time catching up and spending times with old friends , our winter social at X-Golf was a fantastic way to have some fun and think warm thoughts of sunny days, beach days and time spent on the Golf course.

To date it has been an honor and a privilege to serve as your President locally and in addition and represent our chapter at region 2 in Verona, New York and Fall President’s meeting in Chicago.

Our educational committees are continuing to deliver value by delivering quality educational virtual events, including groundbreaking attendance for our CMS Surprise Bill, Privacy “What you need to know”, and EmedNY webinars.

You asked and we listened - We have had incredible turn out at our in-person events ranging from Finance to Revenue Cycle and everything in between. We hosted our ever popular in person two-day Medicare Fundamentals that spanned from Eastern Long Island to Manhattan. We thank our friends at Suburban Hospital Alliance and New York Presbyterian Executive Leadership and Revenue Cycle leads, we could not have done it without their collaborative and generous spirit. Thank you to all involved.

PRESIDENT'S MESSAGE

We are truly an organization made up of generous volunteers on so many forefronts. Our chapter In October raised over \$3,880.00 for the American Cancer Society -Breast Cancer Awareness campaign, we are thinking about next year already so get your walking shoes on as Team HFMA Takes Jones Beach TBD.

In the spirit of the holiday and giving is contagious - Our 3rd annual Food Drive to Benefit Island Harvest is under way, and we are looking to continue to help our community fight food insecurities. To date we have raised close to 5,000 lbs. of food and fed over 3,900 meals our drive ran through 12/31/2022.

You do not want to miss our industries premier 63rd Joseph A. Levi Annual Institute, which will be held at the Uniondale Marriott on March 23 & March 24th. We have many iconic national and local leaders who will be joining us and spending two days of compelling panels, fireside chats, motivational leadership and thought-provoking discussions that are groundbreaking. This year we will be raising monies for Tunnel to Towers organization www.T2T.org and to Register for the Annual Institute visit <https://cvent.me//OkkGm8>

Please do not miss our Inaugural two-day Leadership Retreat February 9th & February 10th, 2023! Join us at the Riverhead Cider House and Indigo Hotel for two days of we encourage you to consider joining us for an opportunity to hear from C-Suite Panelist in our industry as well as learning from the best of the best on work- life balance, career journeys, Industry leading Skill Path, mediation/yoga/massage and leadership skills to take with you and pass on to your team members!

"Remember a leader is not someone who forces others to make him/her stronger; a leader is someone willing to give their strength to others so that they may have the strength to stand on their own"!

Our Revenue Cycle team is planning our ever-popular Revenue Cycle Academy planned for April 27th, 2023, at the Hofstra Club, it will be a full day of inspiration, knowledge, industry best practices and more. Stay tuned and Save the Date.

I encourage you to take advantage of the various certifications for you and your team members, certifications are free and come with your membership there is something for everyone from Certified Revenue Cycle CRCR, Certified Healthcare Professional (CHFP) and many others.

Many more upcoming events, collaborations between clinical leadership and Finance, Compliance, Finance, Revenue Cycle (My Passion), Technology and many others will continue to excel into the future, remaining committed to putting on stellar education events that address local, national and regulatory guidelines and keeping our fingers on every changing pulse of our industry.

A new season brings new beginnings, as we said goodbye to beach days and let go of the fun filled craze of summer, embrace the autumn and winter days with open arms and say hello to cozy flannels, family gatherings, pumpkin picking, the crisp autumn wind and playing in the snow! The life of a snowflake - "It is

PRESIDENT'S MESSAGE

life of the crystal, the architect of the flake, the fire of the frost, the soul of the sunbeam. The crisp winter air is full of it.”

Thank you for all the hard work of the best volunteer's, sponsors, members, Board of Directors, Executive Leadership and Past Presidents that make HFMA Metropolitan New York iconic and leading the charge with fortitude and vision!

Most of all thank you again for the privilege that is all mine to serve as your President and the trust you have in me. So, raise your glass and let's toast - Cheers to a prosperous and healthy 2023.

Love,
Cathy
XOXOXO



EDITOR'S MESSAGE

As you read this edition of Newscast, fall has left us, the leaves turned their amazing shades of gold, orange and red and have largely left the trees. The dog days of summer are long over, COVID is still very much here and we are in the midst of Flu season. Today, we had snow flurries.



This quarter's big event for our Chapter was our Annual Golf Classic. We are pleased to be able to share the photos from the well-attended event. Despite the rain, a great time was had by all. The North Hempstead Country Club turned this one day event into a series of mini golf outings permitting each foursome to select an alternate date to play a round of golf! We invite those of you who were unable to attend to share the fun of the day through the photo spread included in this edition.

We aim to continue to provide relevant educational content to our members through webinars in this time of remote learning. We hope you will find the articles in this edition of Newscast relevant to issues you are all facing due to current impacts on hospital finance.

With each edition of Newscast we hope that the content meets your expectations as members. We welcome hearing from you and although we don't have a letters to the editor feature in Newscast, we would love to begin one. Please feel free to drop me a note, write a letter, author an article or send in a photo to be considered for publication in the next edition of Newscast.

I hope that a wonderful holiday season was had by all and send sincere wishes for the happiest of a New Year filled with special moments spending time with the ones you love.

Alicia

aweissmeier@millermilone.com



CHAPTER OFFICERS AND BOARD OF DIRECTORS

OFFICERS 2022-2023

President	Catherine Ekbohm, FHFMA
President-Elect	Andrew R. Weingartner, FHFMA
Vice President	Shivam Sohan, FHFMA
Treasurer	Alyson Belz, FHFMA
Secretary	Leah Amante, CRCR
Immediate Past President	Sean P. Smith, CPA, FHFMA

BOARD OF DIRECTORS

Class of 2023

Daniel Corcoran	Laurie Radler, FHFMA
James Linhart	Alicia A. Weissmeier, Esq., FHFMA
Nick Rivera, CPA, FHFMA	

Class of 2024

Robert Braun	Susane Lim
Stephanie Gerez, CHFP, CRCR	
Matthew Kamien, CHFP	Robin Ziegler

PAST PRESIDENTS

2021-2022	Sean P. Smith, CPA, FHFMA
2020-2021	Donna Skura
2019-2020	Diane McCarthy, CPA, FHFMA
2018-2019	Mario Di Figlia, FHFMA
2017-2018	Maryann J. Regan
2016-2017	David Woods
2015-2016	Meredith Simonetti, FHFMA
2014-2015	Wendy E. Leo, FHFMA
2013-2014	David Evangelista

EX-OFFICIO

All Past Presidents of the
Metropolitan New York Chapter, HFMA
Bea Grause, R.N., J.D.,
President, Healthcare Association of New York State
Kenneth E. Raske,
President, Greater New York Hospital Association
Wendy Darwell,
President & CEO, Suburban Hospital Alliance of
New York State

Newscast Committee

EDITOR:

Alicia A. Weissmeier, Esq., FHFMA

COMMITTEE MEMBERS/CONTRIBUTORS:

Marty Abschutz, CPA, CGMA
Catherine Ekbohm, FHFMA
Donna Skura
Robin Ziegler

Metro NY HFMA Newscast Winter Schedule

Electronic Publication Date

4/28/23

Article Deadline for Receipt by Editor

4/7/23

2022-2023 CORPORATE SPONSORS

PLATINUM

Betz-Mitchell Associates, Inc.

Change Healthcare

FORVIS

Healthfirst

Jzanus, Ltd.

LiveOnNY

Meduit

Miller & Milone, LLC, A Med-Metrix Company

Moss Adams

POM Recoveries, Inc.

PwC

RTR Financial Services

Syntellis Performance Solutions, LLC

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CBHV – Collection Bureau Hudson Valley, Inc.

Commerce Bank

CURAE

DCM Services

Flywire

Health/ROI

Jzanus Consulting

KPMG

Mazars USA LLP

Miller & Milone, P.C.

Nassau-Suffolk Hospital Council

SILVER

Manatt, Phelps & Phillips, LLP

Mullooly, Jeffery, Rooney & Flynn, LLP

Revco Solutions

Strata

Third Party Reimbursement Solutions, LLC

Withum

CHAPTER NEWS

IMPORTANT DATES

Upcoming Webinars

February 10, 2023
12:00 pm- 1:00 pm

FINANCE FRIDAY'S UNDERSTANDING THE STATE AND FEDERAL HEALTHCARE LANDSCAPE AND FUNDING PROGRAMS TO SUPPORT POST-PANDEMIC 2023+ TRANSFORMATIVE STRATEGIES

Educational Seminars and Institutes

February 14, 2023
9:00 am - 5:30 pm

THE ANNUAL ACCOUNTING & FINANCE UPDATE

March 23-24, 2023
Uniondale Marriott

METRO NY HFMA- 63RD ANNUAL INSTITUTE

March 30, 2023
9:00 am - 5:00 pm

ANNUAL REIMBURSEMENT UPDATE
Hofstra Club

April 15, 2023
8:30 am - 6:00 pm

INSURANCE PROMPT PAY/DENIALS, RPA & OTHER USEFUL TOOLS
Hofstra Club - David Mack Hall

April 27, 2023
8:30 am - 6:00 pm

REVENUE CYCLE ACADEMY
Hofstra Club - David Mack Hall

Social Events

February 9-10, 2023

LEADERSHIP SUMMIT RETREAT -
THE RIVERHEAD CIDERHOUSE & HOTEL INDIGO, LONG ISLAND

TBD
BABYLON, NY

ARGYLE THEATER & DINNER OFF "BROADWAY" EXPERIENCE

TBD

GENERAL EDUCATION MEETING

HFMA Seminars provide timely, in-depth strategies and metrics to help you keep pace with the healthcare finance topics you care about the most. View all upcoming HFMA Seminars and register at www.hfma.org/seminars.

HFMA METROPOLITAN NEW YORK

63RD JOSEPH A. LEVI ANNUAL INSTITUTE

UNIONDALE MARRIOTT

HFMA Metro NY 2022-2023 President

Catherine Ekbohm, FHFMA



SAVE THE DATE

THURSDAY 3/23 & FRIDAY 3/24 | 2023

Committee Chairs

Leah Amante

Robert Braun, FHFMA

Nick Rivera, CPA, FHFMA

Robin Ziegler



WELCOME NEW MEMBERS

Included in your HFMA Membership

EDUCATION + NETWORKING

Connecting with your HFMA chapter means you have access to a community of local members for support, knowledge and networking.



From all of us at MetroNY, Welcome.

NEW CHAPTER MEMBERS

The Metropolitan New York Chapter of HFMA Proudly Welcomes the Following New Members!



By Robin Ziegler, Membership Committee Chair

MetroNY HFMA is pleased to welcome the following new members to our Chapter. We ask our current membership to roll out the red carpet to these new members and help them see for themselves the benefits of HFMA membership. Encourage them to attend seminars and other Chapter events. We ask these new members to consider joining a Committee to not only help the Chapter accomplish its work, but to expand their networks of top notch personal and professional relationships. See the list of MetroNY HFMA Committee Chairs, along with their contact information, listed in this eNewsletter.

SEPTEMBER 2022

HASAN HASANAIN
Abdali Clemenceau Hospital

WANDA DIAZ
Montefiore Health System

JOANNA GUEVAREZ
Montefiore Health System

ANGELA BILLET
Firstsource

DEEPA GIGEESH
Sheikh Shakhbout Medical City

BEVERLY RUIZ
One Medical

MICHAEL WHITE, CSAF,CRCR
hospital

SHIRLEY LIU
Northwell Health

ESTHER OTERO
Montefiore Health System

OCTOBER 2022

JOHN CATALANO
University of North Carolina - Chapel Hill -
Chapel Hill, NC

ADAM LOR, CHFP
NewYork-Presbyterian Hospital

LEON CHANG
The Brooklyn Hospital Center

ENESE JEAN-LOUIS

SALVATORE LOIACONO
New York Eye and Ear of Mount Sinai

EMILY GRACE
KPMG LLP

FAISAL ALKATHERI

WHITNEY HICKS
St. Lawrence Health

JENNA DEVELLIS, CRCR
Sheikh Shakhbout Medical City

KPMG
One Medical

AMANDA CARRERO
Montefiore Medical Center

CHRISTOPHER MERSITS
Montefiore Health System

MELODY RIVERA
Montefiore Health System

MARYANNE ALVAREZ
Montefiore Health System

JOHN GERARD
Season Health

MARIA HENDERSHOT
Montefiore Health System

SIRAJAM MUNIRA

NICOLE VANN
Montefiore Health System

MELISSA ECHEANDIA
Montefiore Health System

BRYCE JENKINS
New York City Health & Hospitals Corp

TARA ANDERSON
FORVIS

ETHAN CATO

BRIAN GREEN
FORVIS

RISSA LAGDAN

NEW CHAPTER MEMBERS

The Metropolitan New York Chapter of HFMA Proudly Welcomes the Following New Members!

NOVEMBER 2022

DEBRA PIERRE

TONNIE COOPER
Montefiore Health System

LEE CHEATHAM
One Medical

PAMELA DINNOO-SULTAN
Northwell Health

CHRISTIAN CHINO
Mount Sinai Health System

DECEMBER 2022

JEFFREY BREWSTER
ROI Healthcare Solutions

ERIN STAMPER
Russell Friedman & Associates

DENISE CACCIAVILLANI
Montefiore Health System

SEAN CHUNG
Adonis

KIM HYEWON

KIRAN KHAIRAI
Jamaica Hospital Medical Center

SHARON EDWARDS
Montefiore Health System

EVAN PERDIKOIANNIS
Department of Veterans Affairs

ELEANOR PALMER
Rule of 3, LLC

ANALEEZA LEGGETT
KPMG LLP

EBONY EASTON
Mayo Clinic Health System

MURIEKA MCKENZIE
NYC Health & Hospitals Corporation



HFMA's Online Membership Directory

Have you visited HFMA's Online Membership Directory lately? Log in at www.hfma.org. When you select "Directory," not only can you search for members of the MetroNY Chapter, you can also search for all your HFMA colleagues by name, company and location – regardless of the Chapter! Using an online directory instead of a printed director ensures that you always have the most up-to-date contact information.

It's vital that HFMA has your correct information, so please take a moment to review your record now. By doing so, you'll ensure that HFMA continues to provide you with valuable information and insights that further your success.



We are happy to report that we met our 2022 Food Drive goal of 1,000 lb to Fight Food In-securities.

To date our generous members and volunteers have raised over 1,190 lbs in 2022 and to date 5,590 lbs of food which equals 5,539 meals benefiting Island Harvest working with Feed America and those in need to fight food in-securities. We could not of done it without your generosity and support!

Giving is contagious and we thank you for your generosity!

Remember

"It is not how much we give, but how much love we put into giving" - Mother Teresa



HFMA METRO NY

3RD ANNUAL FOOD DRIVE

DONATE TODAY! Take a bite out of Hunger. Help End Food In-securities. Others in our community need our help!



**Running through
Dec 31**

Join HFMA Metropolitan New York Chapter as we launch our Third Annual Food Drive to help end food insecurities. Together we made a difference and in 2020 & 2021 we raised over 4,400 lbs of food which represented 3,500 meals benefiting Island Harvest working with Feed America and those in need! We could not of done it without your generosity and support!

**DONATE
HERE**

Thank you! Your contributions will strengthen our community by helping others in need.



**On behalf of the
Executive Team,
Board of
Directors & Our
Awesome
Volunteers!**

For additional inquiries contact
Catherine Ek bom at:
cekbom@betzmitchell.com

***Members of the Metropolitan NY Chapter HFMA,
spouse and/or dependents are eligible to apply for
the Marvin Rushkoff Scholarship.***

By January 1st each year the Marvin Rushkoff Scholarship application will be posted to the Chapter's website. Applications must be delivered in complete form and received by the designated committee chair on or before June 1 to be considered for award. Two (2) \$1,000 scholarships are awarded on an annual basis to qualified applicants. Awards are for one year only and require a new application each year to be considered for the scholarship.

***Metropolitan New York Chapter HFMA
Marvin Rushkoff Scholarship***

Eligibility Requirements:

- Member in good standing with National HFMA and Metro NY Chapter.
- Must be a Member or spouse or dependent of a member.
- Must be attending an accredited college or university.
- Must provide proof of acceptance.
- Must be a matriculated student.

****Members of the Executive Committee/their dependents and spouses are not eligible.**

****Members of the Evaluating Committee/their dependents and spouses are not eligible.**

**Metropolitan New York Healthcare Financial Management Association
Marvin Rushkoff Scholarship Application**

**Application MUST be received on or before June 1st
Applications will be accepted via mail or by email**

HFMA Member Information:

Member Name: _____

Member Address:

Membership # _____

Applicant Information:

Applicant Name: _____

Address: _____

Relationship to Member: _____ Email Address _____

College/University Attending: _____
(Proof of Enrollment must be attached)

Matriculated Student: Yes No Anticipated Graduation Date: _____

Major (if known) _____

Anticipated Degree: Undergraduate: Associates Bachelors
 Graduate: Masters in _____
 PhD: _____

Does your employer supplement your education with tuition reimbursement: Yes No

Education Background:

Highest Level of Education Completed as of application: _____

Name of School Currently Attending: _____

GPA: _____ Degree: _____ Major: _____
as of last completed semester) (ie: high school diploma) (if applicable)

Documentation must be provided supporting GPA

Professional Career/ Work Experience:

Employment history to be attached and labeled as attachment: A

Community and Professional Activities:

Please describe your civic and professional activities and contributions to your community, profession, HFMA or other organizations. Attach and label as attachment: B

Essay

In 350 words or less submit an essay describing your education and or professional goals and how this scholarship will assist you in achieving such goals. **Essay must be typed and double spaced.**

References:

Please furnish three letters of reference. Please submit these letters with your application do not have them submitted under separate cover. Remember only fully completed applications will be considered for scholarship.

Applicants Signature: _____ Date: _____

All applications must be received on or before **June 1st**

Return application to:
mdifiglia@northwell.edu

Thomas J. Force, Esq., *Founder and President of The Patriot Group*
Robert T. Neuner, Esq., *General Counsel of The Patriot Group*

Fighting Back Against the Drastic Consequences Caused by Misapplication of the No Surprises Act

Back in March, the Medical Society of the State of New York (MSSNY), along with other prominent law firms, contacted the New York State Governor's office to express concerns regarding the administration of the New York State Health Insurance Plan (the "Plan"). In particular, these parties, as representatives of numerous healthcare providers, asserted that UnitedHealthcare, Inc., as the administrator of the Plan, was breaching the terms and conditions of the Plan specifically negotiated by unions representing the Plan's members.

Effectively, this dispute centers on allegations that the Plan is improperly claiming that it is subject to the recently-enacted federal No Surprises Act (the "NSA") and, therefore, according to the Plan, is permitted to reimburse out-of-network providers at median in-network rates, despite the terms and conditions governing the Plan requiring reimbursement for out-of-network services to be calculated based on 80% of the usual and customary rate (the "UCR Rate"). As a result of initial communications not leading to the desired result (*i.e.*, the Plan acknowledging that it was required to reimburse at the UCR Rate), litigation was recently commenced in the Supreme Court of the State of New York in Albany County on behalf of several physician practices and Plan members.

In this litigation, it is alleged that due to the Plan's misapplication of the NSA, out-of-network providers were being substantially under-reimbursed, causing plan members to lose the benefit of the bargain negotiated by their unions. Specifically, these benefits included having access to a broad spectrum of healthcare providers and avoiding significant costs for utilizing the services of out-of-network providers (*i.e.*, with the carriers paying less, in order to secure reasonable reimbursement, out-of-network providers are more regularly requiring balance billing protections to be waived by Plan members before providing treatment). It has been further asserted that out-of-network providers are being reimbursed at rates cut down by as much as 80% below the UCR rate, at least in some cases. The Plan has contended that it has not done anything inappropriate, since it is suggesting that it is subject to the NSA, with some state officials insinuating that the real reason for these lawsuits is simply the providers' desire for more money.

However, in our estimation, the Plan's position is misguided for several reasons and likely a result of the disjointed rollout of the federal regulations underlying the NSA that has been mired by several lawsuits. First and foremost, even if the NSA were applicable, there is nothing therein to suggest that plans/administrators are permitted to calculate payment based on calculation methodologies outside of the applicable Plan documents. Indeed, as noted in the July 2021 interim final rules underlying the NSA, carriers are expected to make an initial payment that the carrier "reasonably intends to be payment in full based on the relevant facts and circumstances, which may be higher or lower than the QPA, ***as required under the terms of the plan or coverage***, prior to the beginning of any open negotiation or initial of the Federal IDR process." (Emphasis added). See [86 FR 36872, 36900](#) (July 13, 2021). Thus, in light of the Plan's terms and conditions, namely that out-of-network reimbursement is to be calculated based on 80% of the UCR rate, the Plan does not have grounds under the NSA to calculate out-of-network reimbursement based on the median in-network rate.

The Plan's reliance on the median in-network rate is also not in line with the regulations. While the initial interim final rules explained that the qualifying payment amount (QPA) (*i.e.*, the median in-network rate) was to be afforded a rebuttable presumption that it was reasonable, this presumption was only related to how the federal independent dispute resolution entity (*i.e.*, the

arbitrator) was to determine fair and reasonable reimbursement. Nevertheless, due to new regulations being published in August 2022 based on the lawsuit brought by the American Medical Association and the American Hospital Association, among others, this rebuttable presumption was cast aside, so that the QPA is afforded the same weight as the other factors to be considered – *i.e.*, the structure in accord with the legislative intent of the NSA. As such, reliance on this aspect of previous regulations would appear to be without merit.

Finally, as put forth by the plaintiffs in the aforementioned litigation, although federal law is typically afforded supremacy over state law, such order of priority is not the case under the NSA. Rather, the NSA expressly provides that where specified state law exists (*i.e.*, state law that specifies a method for determining the total amount payable), such state law shall control with regard to those types of plans to which it applies – state law generally does not apply to self-funded plans governed by ERISA. This, perhaps, raises the biggest question to be determined: the Plan asserts that it is a non-governmental, self-funded employee health plan not subject to New York State law; whereas MSSNY, for instance, has argued that the Plan is unequivocally required to be subject to New York State regulations (*see NY CLS Civ S § 162*) and, therefore, is subject to “specified state law”. The outcome of this question will likely have significant ramifications concerning both the coexistence of the NSA with state law, as well as the enforceability of insurance plan terms and conditions related to plan allowances for out-of-network services.

Regardless of the outcome of the case referenced above, it is evident that the competing interests of carriers and providers will continue to lead to allegations of “gaming the system,” all of which will be to the detriment of the respective member and patient bases.



Thomas J. Force, Esq., *Founder and President of The Patriot Group*

As a licensed attorney, Mr. Force has 35 years of experience in the healthcare and insurance industries, having served as General Counsel & Chief Compliance Officer for a New York-based accident/health insurance company and founding The Patriot Group, a full service revenue cycle and compliance firm. Mr. Force is nationally recognized as an expert in revenue collection techniques, appeal strategies and healthcare compliance.



Robert T. Neuner, Esq., *General Counsel of The Patriot Group*

As an experienced attorney having focused the majority of his career in the healthcare industry, Mr. Neuner is highly adept with regard to a wide variety of health law issues. Such experience has enabled Mr. Neuner to provide guidance on numerous statutes and regulations, represent and defend medical practices and providers in recoupment proceedings, and advise on general legal considerations related to practice operations and growth.

At Miller & Milone, P.C. the whole surpasses the sum of its parts. Many of today's healthcare legal issues are quite complicated and require a multifaceted approach to achieve a solution. Our Team Members' diverse experience enables our firm to address complex problems with a myriad of solutions.

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GARDEN CITY, NY 11530

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Attorney Advertising. Prior results do not guarantee a similar outcome.

Local News

Northwell Health's South Shore University Hospital opens a new Neonatal Intensive Care Unit. The state of the art NICU's 11, soon to be 16, private rooms are designed to be family-centered. The 6,300 square foot facility is dedicated to treating premature and critically ill babies and is part of a \$500 million investment to improve and expand services and quality of care. "the construction of this facility shows Northwell's commitment to providing quality, compassionate care before and after delivery" said vice chair of OB/GYN Jolene Muscat, MD.

Healthgrades has recognized **Stony Brook University Hospital** as one of America's best hospitals in Cardiac and Stroke care. Top performing hospitals were identified by evaluating patient mortality and complication rates at nearly 4,500 hospitals and for 9 years in a row **SBUH** has been named among America's 100 Best Hospitals for Cardiac care. **SBUH** has also been one of America's 100 Best Hospitals for stroke care for 8 years in a row.

The Family Health Centers at NYU Langone have been awarded the National Quality Leader Gold Level Award for quality improvement achievements in maternal and child healthcare by the Health Resources and Services Administration (HRSA). The Family Health Centers at NYU Langone have been recognized for expanding patient access to services and elevating the level of care. It has increased prenatal visits leading to higher birth weights and high rates of immunizations. The Family Health Centers scored in the top 10 to 20 percent in three categories relating to access, health information technology, and for quality and overall services.

Healthgrades has named **Maimonides Medical Center** among the 50 Best Hospitals for Cardiac Surgery in America. It has also been ranked as one of the 100 Best Hospitals for Orthopedic Surgery. Serving more than 300,000 patients each year **Maimonides Medical Center** is Brooklyn's largest healthcare system and the only children's hospital. It also serves as one of the largest independent teaching hospitals in the nation.

New York Presbyterian will be expanding its renowned heart transplant program. The Weill Cornell Medical Center campus in Washington Heights will be added as a new location with a heart transplant program. Having performed more than 3,000 heart transplants **New York Presbyterian** is a leader in its field. In addition, **New York Presbyterian** is expanding its heart failure services throughout the region by hiring new heart failure physicians in Brooklyn and Queens and adding nurses, physician assistants and support staff.

Catholic Health's St. Charles Hospital opened a Hyperbaric Medicine & Wound Healing Center. The new center will serve patients seeking treatment for all slow to heal and non-healing wounds such as ulcers and chronic wounds. "Our multidisciplinary team of specialists will offer individualized treatment plans including hyperbaric oxygen therapy and utilizing evidence-based therapies and technologies that ensures patients will have the best chance for a healed outcome." said St. Charles President James O'Connor.

To submit news items to be included in an upcoming edition of NEWSCAST, send information by email to aweissmeier@millermilone.com

2022 Metro NY Annual Chapter Golf Classic



North Hempstead Country Club
Monday, July 25, 2022

















And then came the rain.....







2022 Metro NY Annual Chapter Golf Classic



North Hempstead Country Club
Monday, July 25, 2022

The rain may have ended our round of golf but it didn't end the fun. Thank you to the North Hempstead Country Club for providing each foursome with the opportunity to play a round of golf on an alternate date!

The way I see it, if you want the rainbow,
you gotta put up with the rain."
– Dolly Parton

HFMA Metro NY joins forces with the American Cancer Society



Making Strides against Breast Cancer

Making Strides Against Breast Cancer events celebrate survivors and raise money to help the American Cancer Society save lives from breast cancer.



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For more information, contact:
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Metropolitan New York Chapter (hfma.org)

Thank you HFMA Metro New York for your support and generous support to the American Cancer Society Breast Cancer Awareness Campaign. With your effort our chapter raised **\$3,338.00** in which we set a **\$2,000.00** goal we exceeded our expectations and we are working to help find a cure . We helped to celebrate and honor breast cancer survivors, thrivers, and caregivers, educate the public about prevention and detection to reduce the risk of the disease, and raise funds to help end breast cancer as we know it.

Remember knowledge is power, stay informed, and diligent



Breast Cancer

Whether you or a loved one are worried about developing breast cancer, have just been diagnosed, are going through breast cancer treatment, or are trying to stay well after treatment, this detailed information can help you find the answers you need.

<https://www.cancer.org/cancer/breast-cancer.html>



The Value of Certification

Many healthcare organizations in today's challenging economy recognize their workforce as their most valuable assets.

Investment in developing the talents, knowledge and skill sets of staff is critical to organization success. HFMA's Healthcare Financial Pulse research identified this dynamic and noted that successful organizations today commit to the "bread and butter" of financial management.

Likewise, many individual financial managers today recognize the importance of assuming personal responsibility for their career's success. More than ever before, individuals understand the importance of acquiring and maintaining comprehensive skill sets to ensure their ability to provide the financial management demanded today. These individuals frequently seek out relevant professional development opportunities.

The larger business environment resulting from these forces is a heightened interest in workforce development initiatives including certifications and credentialing. Credentialing programs have exploded across the past couple of decades and include:

- Professional associations offering certifications
- Community colleges offering curriculum-based certificates
- Corporate sponsored in-house credentials for employees
- Technology companies providing proprietary credentials to customers

HFMA certification provides a fundamental business service to our industry, namely HFMA certification offers:

- Assessment of job-related competency
- The opportunity for an individual to demonstrate skills and knowledge
- Independent verification of the skills and knowledge
- Confirmation that an individual is current in the practice field

The value of HFMA certification can be seen in several reported "value-adds":

- Increased departmental cooperation
- Heightened self-confidence among participants
- Increased performance against selected metrics
- Verification of staff knowledge and skills
- Assistance in structuring career paths



HFMA is committed to being the indispensable resource that defines, realizes and advances healthcare financial management practice. As such, HFMA provides professional certifications to achieve this purpose in today's business environment. This makes HFMA Certification a smart workforce investment strategy.

For more information on HFMA Certification, visit

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CMS Publishes FY 2023 Hospital Inpatient Prospective Payment System Final Rule

by Michael Newell, Partner, and Georgia Green, Manager, Health Care Consulting Practice, Moss Adams LLP

The Centers for Medicare and Medicaid Services (CMS) published the [final rule](#) for the fiscal year (FY) 2023 Hospital Inpatient Prospective Payment System (IPPS) in the Federal Register on August 10, 2022. The rule affects discharge dates on or after October 1, 2022.

Each year, CMS publishes updates to the regulations and payment calculations adjusting for inflation factors, wage index adjustments, and other patient care related payment adjustments.

Below is an overview of the FY 2023 IPPS, including finalized changes and other relevant updates.

Final Changes for Acute Care Hospitals

CMS has made the following updates, payment policies, and payment rates.

Hospital Market Basket

CMS will implement a 4.3% increase in IPPS operating payments for general acute care hospitals that successfully participate in the quality reporting and are meaningful users of electronic health records (EHR).

This includes an estimated market basket update of 4.1%, reduced by a 0.3% productivity adjustment and increased by a 0.5% adjustment directed by legislation.

While this is estimated to result in increased payments of approximately \$2.6 billion for FY 2023, CMS also projects some significant payment decreases. This includes an estimated decrease of \$300 million in disproportionate share payments and uncompensated care (UC) payments combined. It also includes an estimated decrease in payments of \$750 million for inpatient cases involving new medical technologies.

Medicare Dependent and Low-Volume Hospitals

The additional payments for Medicare-dependent hospitals and low-volume hospitals are set to expire absent congressional intervention.

If the payments expire, the estimated reduction for those affected hospitals is estimated to be \$600 million in FY 2023.

Medicare Severity Diagnosis-Related Group

CMS follows its proposed methodology to use the best available data for FY 2023 payment rate updates. As such, CMS will use FY 2021 MedPAR data and FY 2020 cost reports, with certain modifications to address assumptions related to Medicare beneficiaries' hospital utilization.

As such, to compute diagnosis-related group (DRG) relative weights, CMS finalizes its proposal to calculate and average the results of two sets, one with COVID-19 claims and one without. CMS also proposes to apply a modified methodology in determining the outlier threshold that also factors in assumptions related to Medicare beneficiary utilization in 2023.

Medicare Wage Index

CMS will continue its current policy designed to reduce the disparity between high and low wage index hospitals. This current policy was put in place in FY 2020.

CMS will also make permanent a 5% cap on decreases in wage index values year-over-year, regardless of the reason for the decline.

National Adjusted Operating Standardized Amounts

The national adjusted operating standardized amounts are proposed to increase 4.3% with the federal capital payment rate increasing 1.63%, as listed below.

The following metrics align with:

- Whether or not a hospital is a meaningful EHR user
- If a hospital submitted quality data

National Adjusted Operating Standardized Amounts: Labor and Nonlabor

67.6% Labor Share and 32.4% Nonlabor Share, if the Wage Index Is Greater than One

		HOSPITAL DID SUBMIT QUALITY DATA				HOSPITAL DIDN'T SUBMIT QUALITY DATA			
		<i>Is</i> a Meaningful EHR User		<i>Isn't</i> a Meaningful EHR User		<i>Is</i> a Meaningful EHR User		<i>Isn't</i> a Meaningful EHR User	
FFY	IPPS RULE	LABOR	NONLABOR	LABOR	NONLABOR	LABOR	NONLABOR	LABOR	NONLABOR
2023	PROPOSED	\$4,310.00	\$2,065.74	\$4,182.32	\$2,004.54	\$4,267.44	\$2,045.34	\$4,139.76	\$1,984.15
2022	FINAL CORRECTION NOTICE	\$4,138.24	\$1,983.41	\$4,056.08	\$1,944.03	\$4,110.85	\$1,970.28	\$4,028.70	\$1,930.91
	INCREASE	\$171.76	\$82.33	\$126.24	\$60.51	\$156.59	\$75.06	\$111.06	\$53.24

National Adjusted Operating Standardized Amounts: Labor and Nonlabor

62% Labor Share and 38% Nonlabor Share, if the Wage Index Is Less than or Equal to One

		HOSPITAL DID SUBMIT QUALITY DATA				HOSPITAL DIDN'T SUBMIT QUALITY DATA			
		Is a Meaningful EHR User		Isn't a Meaningful EHR User		Is a Meaningful EHR User		Isn't a Meaningful EHR User	
FFY	IPPS RULE	LABOR	NONLABOR	LABOR	NONLABOR	LABOR	NONLABOR	LABOR	NONLABOR
2023	PROPOSED	\$3,952.96	\$2,422.78	\$3,835.85	\$2,351.01	\$3,913.92	\$2,398.86	\$3,796.82	\$2,327.09
2022	FINAL CORRECTION NOTICE	\$3,795.42	\$2,326.23	\$3,720.07	\$2,280.04	\$3,770.30	\$2,310.83	\$3,694.96	\$2,264.65
	INCREASE	\$157.54	\$96.55	\$115.78	\$70.97	\$143.62	\$88.03	\$101.86	\$62.44

Capital Standard Federal Payment Rate

Below are the capital standard federal payment rates for FYs 2022 and 2023.

FFY - IPPS RULE	RATE
2023 - PROPOSED	\$483.76
2022 - FINAL	\$472.59
INCREASE	\$11.17
PERCENTAGE INCREASE	2.36%

Graduate Medical Education (GME) and Indirect Medical Education

In conjunction with a statutory review resulting from the decision in the *Milton S. Hershey Medical Center* case, CMS proposed and has now finalized a modified policy for applying the full-time equivalent (FTE) cap when the weighted count exceeds the cap. CMS is finalizing this change retroactively for cost reporting periods beginning on or after October 1, 2001.

CMS finalized its proposal to allow an urban and a rural hospital participating in the same rural training programs (RTP) to enter an RTP Medicare GME affiliation agreement effective for the academic year beginning July 1, 2023.

Medicare DSH Estimate and Uncompensated Care Payments

CMS updated the [Medicare disproportionate share hospital \(DSH\)](#) estimate as well as the three factors used to compute UC payments.

Medicare DSH Estimate

The estimated [Medicare DSH](#) amount for FY 2023 is \$13.949 billion. This results in an empirically justified amount of \$3.488 billion. The Factor 1 amount is \$512 million greater than in the proposed rule.

Uncompensated Care Factors

CMS finalized the following uncompensated care factors for FY 2023.

- **Factor 1:** \$10.461 billion
- **Factor 2:** 65.71%, as compared to 68.57% in 2022

When applying Factor 2 to Factor 1, the result is a [UC pool](#) amount of \$6.874 billion to be shared by qualifying hospitals. The 2023 pool is \$318 million less than in FY 2022.

CMS finalized its proposal to use Line 30 from FY 2018 and FY 2019 Worksheet S-10 data for FY 2023 to determine Factor 3 for all hospitals, except Indian Health Service (IHS) and Puerto Rico hospitals.

For FY 2024, CMS plans to use the average of the three most recent years for which audited data is available. As an example, for FY 2024, it's likely to be from FY 2018–2020.

IHS or Tribal Hospitals and Puerto Rico Hospitals

For IHS and Puerto Rico hospitals, CMS finalized its proposal to discontinue the use of a low-income insured days proxy and to address significant financial disruption from implementing a new supplemental payment.

CMS will now determine Factor 3 for IHS and Tribal hospitals and Puerto Rico hospitals based on S-10 data.

Days Associated with Section 1115 Demonstration Projects

In 2020 and 2021, several court cases concluded that Section 1115 waiver days must be included in the DSH calculation under existing regulations. As a result, CMS stated it would revise the regulation to clarify, and further limit, which days can be included in the [Medicaid fraction](#).

Specifically, in the FY 2022 proposed rule, CMS proposed to include only those days in which a patient directly receives inpatient hospital insurance coverage on a Section 1115 waiver. However, CMS didn't finalize this proposal.

In the FY 2023 proposed rule, CMS again proposed changes to the regulations. Section 1115 waiver days are to be included in the DSH calculation if:

- Applicable on days patients receive hospital health insurance that provides essential health benefits

- Covered with hospital health insurance bought with premium assistance equal to at least 90% of the cost of the health insurance
- Covered patient isn't also entitled to Medicare Part A

However, as with the prior year, CMS again chose not to finalize its proposed changes to the regulations related to Section 1115 waiver days. CMS indicated that it expects to revisit this issue in future rulemaking.

Other Notable CMS Updates

CMS also addressed several other proposed changes regarding many hospital programs and health initiatives, including:

- Hospital-Acquired Condition (HAC) Reduction Program
- Social Determinants of Health Comment Solicitation
- Payment Adjustment for Domestically Made Surgical N95 Respirators Comment Solicitation
- Principles for Measuring Health Care Quality Disparities
- Continuing to Advance Toward Future Digital Quality Measurement
- Hospital Readmissions Reduction Program (HRRP)
- Hospital Inpatient Quality Reporting (IQR) Program
- PPS-Exempt Cancer Hospital Quality Reporting (PCHQR) Program
- Medicare and Medicaid Promoting Interoperability Programs
- Hospital Value-Based Purchasing (VBP) Program

Hospital Value-Based Purchasing (VBP) Program

Due to the impact of COVID-19 on measure performance, CMS is suppressing several measures from the Hospital VBP Program for 2023.

MIPS Facility-Based Scoring Not Available for PY2022

CMS won't calculate a total performance score under the Hospital VBP Program for any hospital for 2023. This renders it impossible to provide a 2022 Merit-Based Incentive Payment System (MIPS) score for quality and cost performance categories for hospital-based providers that have traditionally received the Hospital VBP Program score.

It's important for facility-based clinicians and groups to understand their MIPS reporting requirements for 2022, particularly those that have historically relied upon the Hospital VBP Program score. Facility-based providers will need to collect and submit quality measure data to receive a score other than zero in the quality performance category.

Providers can learn more about the MIPS clinical quality measures and select the relevant measures using the [Explore Measures and Activities tool](#). A reporting [exception application](#) is available until December 31, 2022, to providers without available and applicable measures, to request performance category reweighting. CMS advises citing COVID-19 as the triggering event, noting the decision to suppress measures in the Hospital VBP Program was in response to COVID-19's effect on performance.

Economic Impact

The overall economic impact of this final rule is an estimated \$950 million decrease in payments from the United States federal government during FY 2023.



Michael Newell has worked in health care financial management since 1982. He delivers provider reimbursement enterprise solutions to hospitals and health systems, including Medicare Disproportionate Share Hospital (DSH), Worksheet S-10, cost reporting, and outsourced reimbursement management services. He can be reached at michael.newell@mossadams.com.



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