

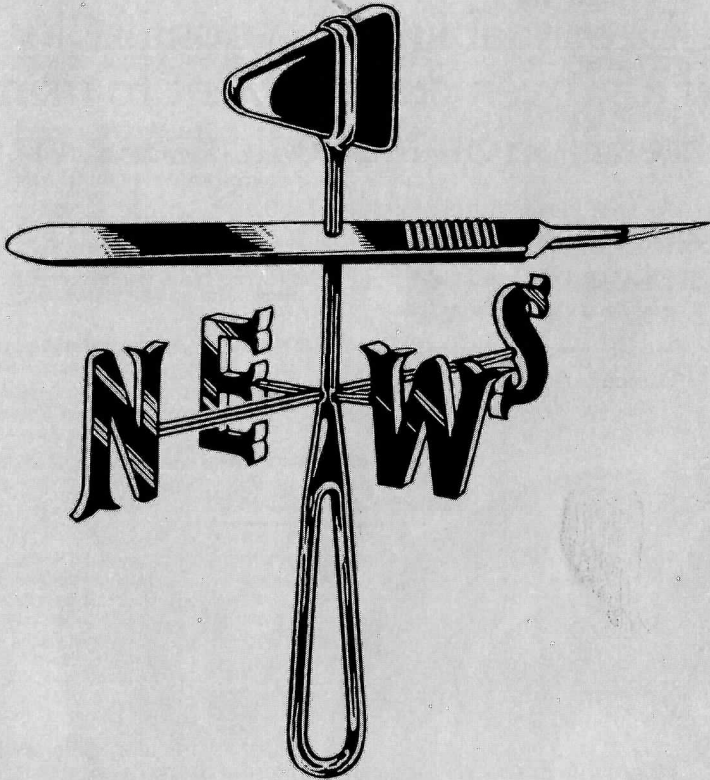
# BULLETIN

of the  
MAHONING COUNTY  
MEDICAL SOCIETY

*Volume LVI*

MARCH, 1986

*Number 3*



---

Physicians Insurance Company of Ohio  
 American Physicians Life Insurance Company  
 SMB Financial Planning, Inc.

---

# Q:

## What do these three companies have in common?

# A:

Dependability. Accountability.  
 And a proven commitment to members  
 of the Ohio State Medical Association.

As your personal and professional situations change, so can your requirements for specialized protection.

PICO and its subsidiaries have been formed to serve your insurance and financial planning needs.

We understand your concerns... and we can solve even the most complex challenges in professional planning.



Physicians Insurance Company of Ohio

Professional liability coverage offering primary and excess protection at the limits you require. When combined with a PICO homeowners and auto policy and PICO office protection plan, you will have a convenient, comprehensive insurance package.



AMERICAN PHYSICIANS LIFE

Individual protection for your life, health and business insurance needs. APL also offers group insurance protection, investment plans, and pension and profit sharing plans designed for physicians and other select markets.



SMB  
 Financial Planning, Inc.

Expert financial planning services for successful professionals. SMB's highly individualized approach assures that the direction and control of your financial goals remain firmly in your hands.

*Call or write us for further information... or contact your agent.*

HOME OFFICES: BATES DRIVE, P.O. BOX 281, PICKERINGTON, OHIO 43147  
 (614) 864-7100 OR TOLL FREE 1-800-282-7515



\*  
**Retroactive Professional Liability  
 Coverage Now Available**

\*Career assets protection

For:

- **Physicians whose past coverage may be inadequate** if claims are reported in today's economic environment.

This includes:

- Physicians covered at one time by an institution or corporation. The coverage provided then may be insufficient now.
- Retiring physicians, who wish to make sure enough coverage exists for past claims.
- Physicians covered in the past under a plan of self-insurance, where protection is uncertain today.
- Physicians who may have carried lower limits than they really wanted, or may even have gone "bare," due to the cost and availability of insurance.
- **Corporations who want to purchase additional coverage** for a formerly employed physician, or for corporate liability arising out of past incidents.
- **Physicians who are concerned** about the impact of recent court rulings on the statute of limitations.

## The Gluck Insurance Agency

2901 Market St.  
 P.O. Box 2726  
 Yo., OH 44507

Telephone:  
 (216) 788-6577

or

Toll Free in Ohio  
 1-800-362-6577



**PHYSICIANS INSURANCE  
 COMPANY OF OHIO**



# LESTER'S

- PHYSICIAN SUPPLIES
- HOSPITAL SUPPLIES
- PRESCRIPTIONS

We offer

- Prompt courteous service—Free Delivery
- Complete Stocks
- Fair Price
- Literature—New Product Information
- Complete colostomy supply service

*If we can be of service—*

PLEASE CALL

264 Federal Plaza West  
744-4111

Office Supplies  
Business Furniture  
Data Supplies



## DeBALD & CO., INC.

FOR PROMPT SERVICE PHONE 746-0597

1300 Wick Ave. • P.O. Box 6085 • Youngstown, OH 44501

## BOARDMAN HEARING AID SERVICES

6251 Market Street • Marwood Office Center  
Youngstown, Ohio 44512

- Service Available Six Days Weekly
  - Trial Fittings
  - At the Door Parking

E. R. JONES

PHONE: 758-7345

O. L. CLUSE

## Officers and Council

### Officers

RICHARD A. MEMO, *President*  
 G. ROBERT BARTON, *Vice President*  
 JUAN A. RUIZ, *Immediate Past President*  
 JOSEPH W. TANDATNICK, *Secretary*  
 DAVID H. LEVY, *Treasurer*

### Delegates

W. E. SOVIK  
 J. C. MELNICK  
 J. J. ANDERSON  
 K. F. WIENEKE  
 C. E. PICHETTE

### Council

K. J. CARTER  
 M. GUTHIKONDA  
 D. W. HANDEL  
 A. D. KASAMIAS  
 M. J. LENHART  
 J. A. COLELLA  
 A. DiDOMENICO  
 S. D. GROSSMAN  
 P. R. LAKHANI  
 S. K. MISHR

### Alternate Delegates

J. A. RUIZ  
 D. E. PICHETTE  
 T. N. DETESCO  
 L. E. SLUSHER  
 P. J. MAHAR, JR.

Representative to Blue Cross of Eastern Ohio: W. E. Sovik  
 Executive Director: Robert B. Blake

## 1986 - MAHONING COUNTY MEDICAL SOCIETY MEETINGS - 1986

Tuesday Jan. 14	Tuesday Mar. 18	Tuesday May 20	Tuesday Sept. 16	Tuesday Nov. 18	Tuesday Dec. 16
--------------------	--------------------	-------------------	---------------------	--------------------	--------------------

## Table of Contents

MARCH, 1986

From The Desk Of The President .....	62
Guest Editorial: Looking at the 21st Century .....	63
CME at St. Elizabeth Hospital .....	64
Proceedings of Council .....	67
Consent Decree .....	69
Birthdays .....	73
From The <i>Bulletin</i> : 50, 40, 30, 20, 10 Years Ago ....	75
Western Reserve Care System CME .....	76
Items From The Exec's Desk .....	79

## Advertiser List

Barrett Cadillac .....	65	Moreman-Yerian Company .....	80
Boardman Hearing .....	60	Patient Care Center .....	81
DeBald & Company Inc. ....	60	Spath & Zimmerman .....	74
Fifth Avenue Radiology .....	73	PICO .....	58
Gluck Agency .....	59	Stillson & Donahay .....	66
Lester's .....	60	Tele-Solutions Inc. ....	77
Luxor Management .....	83	1350 Building .....	72
Mahoning Bank .....	78	Travel Planning Associates .....	74
Medical Dental Bureau .....	84	Trumco Insurance Agency .....	70
Medical Protective .....	78	Visiting Nurses .....	66

## *From the Desk of the President*



On February 21 & 22, 1986, Mr. Robert Blake, our executive director, Dr. James Anderson, our sixth district councilor and I attended the American Medical Association leadership conference in Chicago. The mission of the conference was to update physicians on the major issues facing them on a national, state, county and personal level. Further, methods and skills of leadership to address these issues were taught. Professional perspectives from within and outside of medicine were presented. Future trends were identified in the areas of manpower, legislation, practice patterns, doctor/patient relationship and leadership skills.

Translation of the information obtained is categorized below:

- 1) Practice pattern: Manpower was not directly discussed to my amazement. Overall, look for a doctor surplus in Family Practice and Emergency Medicine to fill the slots created by managed health plans. Estimates that the current 20-40% of health care under the auspices of these plans will increase to 50-95% by 1990. The private practice will survive; pure form as such will be small. Most practices will include multiple contracts with multiple parent organizations, be they HMO, PPO, IPA or the new IPO (Indemnity Policy Organization). No one addressed how medical school enrollment would be modified in the future. Statewide and regional IPA's seem to be developing trenches awaiting the invasion of HMO's and mega-corporations in to local communities.
- 2) Legislation: The Gramm-Rudman-Hollings Act is for real. Though it may be modified by court proceedings in July of 1986, it will proceed with the cuts in domestic spending up to 60 billion dollars in the first year. Look for a tax increase to slow the rate of these budget cuts. Congress continues to keep health care in the political arena but also continues a non-sympathetic policy with the dilemma it has imposed on health care professionals. Such professionals will not control their own destiny until a public outcry awakens the politician in the voting booth. A decade could pass before the public influences their congressional representatives.

Also, in the legislative area look for no immediate relief in the physician liability problem. This is an election year causing politicians to once again shy away from the critical issues. Though the situation is critical in states such as Massachusetts, New York, Florida and California, most physicians in other states pay more for their

(Continued on Page 64)



# BULLETIN

## of the Mahoning County Medical Society

Published Monthly for and by the Members

1005 Belmont Ave.  
Youngstown, Ohio 44504      *Not published in May,  
Phone 747-4956                      July and August.*

---

**Volume LVI**

**MARCH, 1986**

®  10

**Number 3**

The opinions and conclusions expressed herein do not necessarily represent the views of the Editorial staff nor the official views of the Mahoning County Medical Society.

**EDITOR**

Emil S. Dickstein, M.D.

**EDITOR EMERITUS**

James L. Fisher, M.D.

**MANAGING EDITOR**

Robert B. Blake

**EDITORIAL STAFF**

Robert R. Fisher, M.D.

John C. Melnick, M.D.

Benjamin M. Hayek, M.D.

Jack Schreiber, M.D.

Suman K. Mishr, M.D.

---

**Guest Editorial:**

### LOOKING TO THE 21st CENTURY

The year is 2019. Just five short years since the failure of the last casualty and liability insurance company. Life in these 41 United States is mirrored in the reports of the Times-Post-Gannet Gazette, the nation's newspaper; its principal advertiser The National Can, Biscuit, Car, Oil, Snuff and Steel Co. has a lot of clout, however.

Much of the news these days comes from one or more of the 895 law schools whose old grads aspire to one of the 40 tricameral state legislatures. Typically, the House, Senate and Bar Purification Association form the three Legislative bodies of all surviving states but one. The BPA drafted all legislation after 2001 A.D. when all the Senate and House legislative assistants were dismissed. It also protects us by certifying to the authenticity of the required law degrees of our elected representatives.

Of the 41 surviving states 38 are in precarious financial health due to the spate of law suits but the nine that went bankrupt are of special interest. For example, when NY State lost the famous case, *All the Peoples vs. Ellis*, some thought Federal Judge John Pandora had gone too far when he allowed all the world's people who had been refused admission to Ellis Island in the 20th century to sue New York State for relief. But critics were soon silenced. For when the suffering and torture and poverty of Cambodia, Argentina and Turkey and Russia, to name a few, was paraded before those 12 tried-and-true grandmothers there wasn't a dry eye in the court room.

New York and the eight border states that subsequently went belly up reverted to territorial status and are, of course, administered by a clutch of lawyers appointed by the 985-member Association of Deans of the Colleges of Torts and Continuances.

Ever since Dr. Bentback, the last surviving general practitioner, died last year his heirs have been trying to sort out the multitude of suits against him but it appears the family lawyers have little hope of clearing the backlog by 2100 A.D. What an opportunity for someone to expose this scandal! Some dreamy-eyed liberals thought a Dickensian author would come forward to write the novel of the century but no one is writing any more since *Greed vs. Book-of-the-Month Club* in 1999.

(Continued on Page 65)

car and its expenses in a year than malpractice. Until our expense for malpractice insurance reaches higher than 10% of our income, look for legislators and the legal profession to continue to throw the ball back into our court. The only bright spot here is the ever increasing coalition between business and medical communities to document the problem and make specific legislative recommendations. Political representatives will have to address the issue once these coalitions are solidified and have wide voter support. Counties have not yet started liability coalitions but the time seems to be now. I feel that this should be a high priority in our own society and look for us to develop outreach programs with the business community to find out their feelings on liability problems.

- 3) Leadership: Contemporary methods to generate energy and innovation at the county, society and personal levels are foreign to me. Few of us know how to motivate. It seems ironic that we should have to arouse physicians to be concerned with their own destinies. Unfortunately, even if we have developed skills to provide good leadership there seems little time to implement them. We must move from much time by a few to a little time by many to accomplish our common goals. Networking and coalition and communication systems are the key words leaders must develop at the community level.
- 4) Attitudes: One of the most interesting presentations was by Robert Waterman, co-author of *In Search of Excellence*. He identified several factors in successful companies that the medical profession might use as role models.

- A) Closeness to the customer (patient).
- B) Anticipation that change brings good opportunities and should be approached with a positive attitude rather than one of despair and frustration.
- C) Proper utilization of teamwork to a large division power and political position of the company or, in our case, the profession.
- D) High tolerance to ambiguity.
- E) Unified management and labor with personal concern for the individual.

In summary, physicians are experiencing multiple parameters with rapid rates of change. Fortunately, concern for people, dedication, honesty, communication, involvement at the personal and community level, competence, expanding technology are still the basic tools to turn change to our advantage.

I sincerely hope that in the next several years our community can approach change with vision and with improved leadership skills.

Richard A. Memo, M.D.

## CME AT ST. ELIZABETH HOSPITAL

March 14, INFECTIOUS DISEASE, "International Recognition of Methicillin-resistant Strains of Staphylococcus Aureus". Thomas Keyes, M.D., Staff Physician, Hospital Epidemiologist, Cleveland Clinic Foundation.

March 21, RHEUMATOLOGY, "Management of Inflammatory Pain". Jerry D. Daniels, M.D., Ph.D., Director, Division of Rheumatology, Department of Internal Medicine, University of Texas Medical Branch.

April 4, NEUROLOGY, "Long-term Effects of Levodopa Therapy". John P. Conomy, M.D., Associate Clinical Professor of Medicine, Case Western Reserve University.

April 11, INFECTIOUS DISEASE, "Gram Negative Sepsis". Speaker to be announced.



The last radiologist, Dr. Leadglove, still is practicing in bicameral Ohio, the most rural state, which stubbornly resists repealing a quaint old state law protecting x-rays from suit.

The last obstetrician, Faith Crowning, sadly, died unattended in childbirth in 2018. She was without colleagues or professional help and no one else could get involved once the Good Samaritan protection was so riddled by legal exceptions.

That was something! The Great Insurance Failure of 2014! Two high decisions may have had something to do with it. "Not so", said Plaintiff's lawyers citing their Motto carved in stone on the National Institutes of Law (formerly Health) "\* The \* Crisis \*is \* contrived \* to \* Limit \* the \* Rights \* of \* Victims \*". The first crack came at the constitutional convention when a typo in the Bill of Rights was corrected to "The Right to Sue" instead of "Freedom of Speech." But the real progress came from Justice Learned Mindoff's ruling that, "Jurors must be experienced, hence it follows that only those who had in the past awarded triple damages of one million or more can henceforth serve on juries."

The hue and cry raised by the insurance interests would have made one think the world was coming to an end. But in the end the fault lay with poor management when it became obvious they had failed to put by sufficient reserves to satisfy all the billion dollar awards for pain and suffering caused by all the diseases known to mankind that the insureds failed to cure.

And now a word about the resurrected 41 medical schools mandated by the Feds. Yes they did recognize there was a problem on the horizon when women began dropping their babies on the streets in the absence of hospitals and doctors and after the last medical school closed its doors. I also cite the case again of Dr. Faith Crowning. And they wisely directed each state to start a medical school at state expense no less, and whether or not any applicants exist. In their wisdom, they lowered standards slightly to permit recruiting methods adapted from the NCAA, including, but not limited to, cash and sport cars, and failing this, high-jacking, Shanghaiing or emptying the prisons or whatever it takes to "market the medical schools." One wag said one school had minus 20 applicants if one counted the students who were already in and wanted out. He was carted off to a Health Food Store, there being no more mental hospitals.

William D. Loeser, M.D., F.A.C.P.

## CINELLI ON COMMITTEE

Dr. Albert B. Cinelli has been appointed to the Culture and Arts Committee of the Ohio State Medical Association. The appointment by Dr. Raven of Toledo takes into consideration Dr. Cinelli's position as president of the trustees of the Butler Institute of American Art and his wide sphere of acquaintanceship in the fine arts field.

# BARRETT CADILLAC OFFERS

• Most Complete Line of Luxury Cars • Most Convenient Service

Barrett Cadillac offers America's broadest line of luxury automobiles — Cimarrons, DeVilles, Fleetwoods, Eldorados and Sevilles — coupled with a central location handy to area hospitals for all your service needs.

Visit soon or phone to have a Barrett representative call on you at your convenience.

The Value-Added Dealer



# BARRETT CADILLAC INC.

907 WICK AVE., YOUNGSTOWN, OH / PHONE 747-3521



**SERVICES  
WE  
PROVIDE**

Skilled Nursing Care  
Home Health Aides  
Physical Therapy  
Speech Pathology  
Occupational Therapy  
Respiratory Therapy  
Medical Social Worker  
Male Orderly  
Laboratory Services  
Nutrition Services

A United Way Agency

**VISITING NURSES  
ASSOCIATION**  
of the  
**GREATER YOUNGSTOWN AREA**

518 E. Indianola Avenue

**YOUNGSTOWN, OHIO 44502**

**Call on the V.N.A. (216) 782-5606**

-----  
**THERE IS NO PLACE LIKE HOME  
WHEN YOUR PATIENTS ARE  
CONVALESCING AND/OR ILL**

Medicare Approved

NLN Accredited



**Disability  
Isn't Only Physical. It's Financial.**

Your health isn't the only casualty of unexpected disability. Your income suffers too. And financial headaches are the last thing you need when you're disabled.

You may not be able to prevent a disabling accident or sickness. But you can protect your financial security with Disability Income Insurance. It provides a steady, continuing income when you can't.

As a member of the Mahoning County Medical Society, you can apply for coverage that can be more economical than an individual policy. For more information on Disability Income Insurance, including costs and what is and isn't covered, contact:

**Stillson  
& Donahay**  
AGENCY, INC.

Stillson and Donahay Agency, Inc.  
Bank One Building  
P.O. Box 5200  
Poland, Ohio 44514-0200  
(216) 757-3726



Commercial Insurance Company of Newark, N.J.  
80 Maiden Lane, New York, N.Y. 10038

Stillson and Donahay Agency, Inc. Endorsed by the Mahoning County Medical Society

## PROCEEDINGS OF COUNCIL

Feb. 11, 1986

The regular meeting of the Council of the Mahoning County Medical Society was held Tuesday, Feb. 11, 1986 at the Youngstown Club.

The meeting was called to order by Dr. Memo at 7:30 p.m. The minutes of the January meeting, having been read, were approved.

The treasurer's report included the monthly bill list, a total of membership dues paid to date and dues receipts as of January 31, 1986. The report was approved. A motion was made, seconded and passed to pay each bill.

The following applications were presented for membership:

ACTIVE: Rani U. Krishnan, M.D.; Amelia Tuanidas, D.O.;  
Carl F. Ansevin, M.D.; Fred C. Hayek, M.D.

ASSOCIATE: Salim El-Hayek, M.D.; Keith H. Kuppler, M.D.;  
William G. Palmer III, M.D.

The applications were approved and the applicants will become members of the Mahoning County Medical Society in the voted category 15 days after the printing of the names in the minutes of the February meeting that are mailed to all members, unless an objection is received in writing by the executive director before that effective date.

### COMMUNICATIONS INCLUDED:

OSMA notice of House of Delegates meeting May 2-7 in Dayton, Ohio. It was noted that any member of the Society may attend the House of Delegates meetings and sit in on the sessions and the resolution committee hearings. Persons wishing to attend should notify the executive director prior to the meeting date.

OSMA notice of the candidacy of Ray W. Gifford, M.D. for election to the AMA Board of Trustees.

Dr. Gregori reported the location of the Scholarship Dinner will be Antone's on April 17 at 6 p.m. Dr. Jack Schreiber will be the speaker. *Volunteer host couples are still needed for the event.* Volunteers are requested to call the Society office as soon as possible.

A report on the activity of the two-county IPA that was recently inaugurated revealed that the committee is marking time while evaluating the present direction of the IPA. There will be some in-depth study done to determine if the movement of the organization is in the right direction. A motion was passed to have MCMS investigate the concept of an I.P.A.

Dr. Anderson, Sixth District Councilor, reported on the mid-winter caucus held in Canton on Feb. 5. He noted that Dr. James Burkholder was elected chairman of the four-county district delegation and that other vice chairman posts were filled by Dr. Robert Reed of Alliance and Dr. John Madison of Salem. The next caucus will be April 23 at Avalon Inn in Warren. Dr. Anderson commented on the election situation coming up at the House of Delegates meeting in May, noting that at least two AMA-delegate posts will be up for grabs.

Dr. Memo instituted his networking project by naming liaison persons for a number of organizations with the idea of having the liaison member offer assistance and information and a conduit to the Society to the contacted organization. Liaison committee members named were: Dr. K. J. Carter, American Cancer Society; Dr. Daniel Handel, Eastern Ohio Pharmaceutical Association; Dr. J. J. Anderson, Greater Youngstown Area AFL-CIO Council; Dr. C. E. Pichette and Dr. David Levy, Senior Citizens Organizations. At future meetings, other liaison members will be named.

The Council approved March 22 as the date for the Media Training Seminar to be conducted by the Communications Department of OSMA. The place has not been set but it will be a three-hour program from 1 p.m. to

4 p.m. at a cost of \$30 per participant. Members interested in taking part in the seminar which will put them on the list of spokesmen for the Society are urged to respond to the flyer at once.

The Council approved the concept of the Mini-Internship Program that involves laymen in the day-to-day functioning of physicians. Dr. Memo stated he would designate a chairman for the two-day event and have the chairman select a committee.

A continuing complaint concerning the Medical - Dental Bureau was again brought up by a council member and a request made that contact be made with the manager of the Bureau by the Society office.

A special plaque honoring the Society for the contribution by its members to the Tornado Relief Fund was presented to the Council.

A request was made that an effort be made to determine if there can be a lowering of the rates the members are paying Blue Cross for the hospitalization coverage in view of the implementation of DRGs and other restrictions on medical service.

Dr. Memo stated he would like to have the chairman of each standing committee of the Society form a liaison with an organization that is representative of the committee's function.

The next meeting of the general membership of the Society will be held March 18, 1986 at Antone's and will feature a program by an eminent authority who will speak on "Mild Hypertension. The Dilemma - Treat or not Treat."

The meeting adjourned at 9:30 p.m.

Robert B. Blake  
Executive Director



A SPECIAL PLAQUE was presented to the Mahoning County Medical Society the end of January from the American Red Cross for the Society members' contribution of \$12,240.00 to the Red Cross Tornado Disaster Fund. The presentation was made by Henry G. Beckenbach (r.), director of Financial Development to Robert Blake (l.), executive director of the Society, with an expression of gratitude for the outstanding gift.

AS PER COURT ORDER, THE FOLLOWING CONSENT DECREE IS PRINTED IN THIS BULLETIN.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

STATE OF OHIO, ex rel.	)	
WILLIAM J. BROWN	)	
	)	CASE NO.
Plaintiff,	)	C 76-168 Y
vs.	)	
	)	
MAHONING COUNTY MEDICAL SOCIETY, et. al.,	)	
Defendants.	)	

**FINAL JUDGMENT AS TO THE MEDICAL DEFENDANTS**

WHEREAS, Plaintiff, State of Ohio, filed an Amended Complaint alleging that three hospitals and six medical Defendants participated in a combination and conspiracy in unreasonable restraint of trade, in violation of Section 1 of the Sherman Act by, among other things, coercing, harassing, pressuring and intimidating physicians, hospitals, and other health care providers into refusing to deal with Health Maintenance Organizations (HMOS); and

WHEREAS, the six medical Defendants have denied and continue to deny their participation in the conduct alleged by Plaintiff, or in any other conduct in violation of any laws, state or federal; and

WHEREAS, the six medical Defendants have no desire or intent to engage in the conduct which would be proscribed by the injunction requested by Plaintiff in its Amended Complaint, and are willing to consent to the terms of such an injunction, as hereinafter set forth, in order to avoid the necessity of further litigation; and

WHEREAS, the objectives of Plaintiff as to the medical Defendants will be served by such an injunction incorporated in a Final Judgment entered by consent of the parties; and

WHEREAS, a separate Final Judgment has been agreed to by Plaintiff and the three hospital Defendants.

NOW, THEREFORE, the parties mutually consent to entry of this Final Judgment, which Judgment is not intended as and shall not constitute evidence of an admission by any party with respect to any issue of law or fact, and without trial or adjudication of any such issue.

It is hereby ORDERED, ADJUDGED AND DECREED:

**I. Definitions**

A. "Hospital Defendants" means (1) St. Elizabeth Hospital; (2) Youngstown Hospital Association; and (3) Youngstown Osteopathic Hospital, all of Youngstown, O.

B. "Medical defendants" means (1) the Mahoning County Medical Society; (2) the Eastern Ohio Council of Medical Staffs of Private Hospitals, Inc.; (3) Dr. J. James Anderson; (4) Dr. Simon W. Chiasson; (5) Dr. Edward C. Pichette; and (6) Dr. Joseph W. Tandatnick, all of Youngstown, O.

C. "Person" means a human being, corporation, partnership, association and any other entity.

D. "Health Maintenance Organization" ("HMO") means an organization that provides comprehensive health care services on a prepaid basis, such as organizations licensed under Ohio Revised Code Chapter 1742, "Health Maintenance Organizations".

E. "Prepaid Plan" means an (1) HMO; or (2) any facility, organization, group or entity which in whole or in part provides for health care

(Continued on Page 71)

# LISTEN.

PIE Mutual doesn't skip a beat when it comes to medical malpractice insurance. PIE Mutual offers the broadest forms of competitively priced medical professional liability coverage available at substantial premium savings.

PIE Mutual is the only medical professional liability insurer in Ohio owned and governed by its member-physicians.

PIE Mutual writes the highest limits of any carrier in Ohio — \$11,200,000/\$11,600,000.

Medical malpractice insurance from PIE Mutual — it can keep your professional practice from skipping a beat.

To find out if you qualify as a PIE Mutual preferred risk physician, return the coupon below or call our Mahoning Valley representative:

**THE *Trumco***  
**INSURANCE AGENCY INC.**

John Fox  
198 Chestnut Ave., N.E.  
P.O. Box 992  
Warren, OH 44482  
(216) 392-6666

I'd like more information about qualifying for medical professional liability coverage as a PIE Mutual preferred risk physician.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Telephone (     ) \_\_\_\_\_ Specialty \_\_\_\_\_

Present Coverage Expires \_\_\_\_\_ Carrier \_\_\_\_\_

Current Limits:      \$200/600,000      1M Excess      Other



PIE MUTUAL INSURANCE COMPANY  
100 Erievue Plaza  
Fifteenth Floor  
Cleveland, OH 44114

## **Final Judgment As To The Medical Defendants**

(Continued from Page 69)

services by arrangements with some but not all available doctors, hospitals or other providers in its service area in return for a fixed periodic payment from or on behalf of consumers.

### **II. Applicability**

The provisions of this Final Judgment shall apply to each of the medical defendants, their successors and assigns; to all persons in active concert or participation with any of the defendants who receive notice of this Final Judgment by personal service or otherwise; and to each person acting on behalf of any medical defendant.

### **III. Societies**

Defendants Mahoning County Medical Society and Eastern Ohio Council of Medical Staffs are permanently enjoined from adopting, promulgating or enforcing any official opinion, resolution, policy statement, or guideline stating or implying that it is unethical, unprofessional or contrary to any policy of either defendant for a hospital or physician to associate in any way with a prepaid plan, or that it is contrary to the public interest for a hospital or physician to associate in any way with a facility, organization, group or entity because it is a prepaid plan.

### **IV. General Noninterference**

Each defendant is permanently enjoined and restrained from adopting, participating in or adhering to any agreement, understanding or concert of action with one or more other persons:

- (a) preventing or interfering with any contract or other relationship between any facility, organization, group or entity and its actual or potential customers because it is a prepaid plan;
- (b) refusing, threatening to refuse, or inducing refusals to provide physician, hospital or other goods and services to any facility, organization, group or entity because it is a prepaid plan;
- (c) preventing or interfering with any contract or other relationship between a physician and any person in whole or in part because the physician is associated with a prepaid plan. "Other relationship" includes without limitation patient referrals and consultations, board and advisory committee memberships, hospital privileges and scheduling priorities, and medical society and specialty board memberships;
- (d) preparing, maintaining or communicating a list or catalog of physicians who are associated with a prepaid plan, unless there is some valid administrative or medical reason for doing so, or unless the prepaid plan provides written consent.

This paragraph shall not be construed to enjoin or restrain the same or parallel action taken by two or more persons acting independently.

### **V. Prior Inconsistent Statements**

Any prior memoranda, resolutions or position statements of any of the defendants that are inconsistent with the terms of this Judgment are declared null and void, and without further force or effect.

### **VI. First Amendment Rights**

This Final Judgment is not intended and shall not be construed either to expand or to limit the rights of the defendants under the First Amendment to the United States Constitution, including the rights to freedom of speech, press, assembly, association, and the right to petition the government. Defend-

(Continued on Page 72)

## Final Judgment As To The Medical Defendants

(Continued from Page 71)

ants may freely express publicly or privately their own views, arguments, and opinions about HMOs or prepaid plans in general, about any specific HMO or prepaid plan, or about the ability of HMOs or prepaid plans to deliver adequate medical care to the public, so long as such expression does not violate the provisions of paragraphs III - VI hereof and is otherwise lawful.

### VII. Dissemination

A. Defendant Mahoning County Medical Society ("MCMS") is ordered and directed to mail a copy of this Final Judgment to each of its members within 60 days of the date of entry of this Final Judgment and also to provide a copy to each physician becoming a member of the Society within five years of the date of entry. A summary, agreed to by the attorneys for Plaintiff State of Ohio and the attorneys for Defendant MCMS, of this Final Judgment shall be published conspicuously in the MCMS Bulletin within 60 days of the entry of this Final Judgment and annually thereafter for five years.

B. Defendant Mahoning County Medical Society agrees to inform its members in writing within 60 days of the entry of this Final Judgment that the Society does not oppose competition between prepaid plans and the fee-for-service method of health care delivery, and that the members of the Society are free to support, assist, or contract with such plans as they individually see fit, without fear or sanctions, formal or otherwise, from the Society, but that nothing in this Final Judgment requires them to do so. The Society further agrees to abide by such policy.

### VIII. Continuing Jurisdiction

Jurisdiction is retained for the purpose of enabling any party to this Final Judgment to apply to the Court at any time for such further orders and directions as necessary or appropriate for the construction or carrying out of this Final Judgment, for the modification or termination of any provision in it, and for the enforcement of compliance with it.

Date: January 22, 1982

*Hon. Thomas D. Lambros*  
U. S. District Judge

APPROVED:

Attorney for Plaintiff

Attorney for Medical Defendants

## 1350 BUILDING PHYSICIANS OFFICE SPACE

Located five minutes from all local hospitals and two blocks from freeway. Parking for 200 cars with 24 hour security. Immediate occupancy or may be renovated to suit individual needs.

**CALL 743-7001 OR 747-3517**



# HAPPY BIRTHDAY



Get your annual check-up • Is it time to renew your driver's license?

**March 17**

J. N. Brucoli  
W. P. Burick  
P. Soleimani  
W. B. Rich

**March 18**

K. E. Camp  
P. A. Dobson

**March 22**

F. A. Friedrich

**March 23**

D. J. Limbert

**March 27**

R. L. Gilliland  
C. A. Amedia, Jr.

**March 29**

F. C. Tiberio

**March 30**

C. M. Lee  
F. M. Turocy

**March 31**

P. B. Cestone  
E. F. Sabato

**April 1**

P. E. Krupko

**April 4**

R. S. Richards

**April 5**

L. Bloomberg  
S. K. Garg  
B. Dayal

**April 6**

J. F. Ervin  
C. F. Ansevin

**April 8**

T. N. Detesco

**April 9**

A. Z. Rabinowitz

**April 10**

J. J. Anderson  
J. Mehta  
R. R. Miller  
D. E. Lagoutaris

**April 11**

R. J. Cuttica

**April 12**

A. B. Cinelli  
B. S. Gordon

**April 13**

R. J. Heaver

**April 15**

J. E. Might

*Now Open!*

S. L. PERNI, M.D.

R. U. KRISHNAN, M.D.

## 5TH AVENUE Radiology & Ultrasound, Inc.

**COMPLETE DIAGNOSTIC RADIOLOGICAL SERVICES**

X-Rays, Arthrograms, Intravenous Pyelograms  
Venograms and Voiding Cysto-urethrograms

**NUCLEAR MEDICINE**

One of the only out-patient facilities in the area  
to offer this needed service

**LOW DOSE MAMMOGRAPHY**

Includes self-breast examinations

**ULTRASOUND**

In-patient or Mobile services available

We're located just minutes away from the heart of Youngstown's medical and health district.



### Right in the Heart Of Youngstown.

1350 Fifth Avenue Suite 100  
Youngstown, Ohio 44504  
Phone (216) 746-1777 - 746-1770  
Hours: Mon., Tues., Wed., Fri., 8 - 4:30 p.m.  
Thurs., Sat., 8 - 12:30 p.m.

## YOUR PERSONAL TRAVEL AGENT

# TRAVEL PLANNING ASSOCIATES

*Customized Service to fit your travel needs*

- Airline Tickets
- Cruises
- Package Tours
- Hotels
- Cars
- Vacations
- Honeymoons
- Visas - Passports
- Groups / Corporations
- And many other travel-related services

CALL OUR FULL SERVICE, AUTOMATED AGENCY FOR UP TO DATE:  
CONVENIENT: COST EFFECTIVE TRAVEL ARRANGEMENTS ANY-  
WHERE IN THE WORLD.

WE CAN WORK WITH YOUR SEMINAR ORGANISERS FOR YOUR  
ARRANGEMENTS.

### LIBERTY PLAZA

Youngstown, Ohio

# (216) 759-8880

HOURS: M - F 9:30 - 8; Sat. 10 - 6; Sun. By Appointment

# Professional Protection

## By Ohio's Most Experienced Agents

Now is the time to bring your present coverage up to date. Let us review your current policy and update it with higher limits at the lowest available rates. We offer primary and excess coverage up to \$10,000,000.



**SPATH & ZIMMERMANN**

Agency, Inc.

Suite 305, Independence Tower, 5755 Granger Road, Independence, Ohio 44131

For experience, service and higher limits, call:

Arthur C. Spath, Jr.

**216/351-0270**

Robert A. Zimmermann

Serving Northern Ohio Doctors For Over 20 Years

# From the Bulletin

## FIFTY YEARS AGO — MARCH 1936

St. Elizabeth's Hospital had completed the installation of a "Modern, high-speed elevator" in "A" Unit. The operating pavilion on the 5th floor had been remodeled and the X-ray Department on the first floor had been enlarged. At YHA's North Unit, the Maternity floor was refitted to accommodate two patients to a room to relieve the load at the South Unit.

President L. G. Coe urged all members to attend the Annual Post-graduate Day meeting on April 30. The speakers were from Columbia University (Palmer, Whipple, Atchley and Barach) and the whole thing including dinner at the Youngstown Club and evening sessions was \$5.00.

## FORTY YEARS AGO — MARCH 1946

Comdr. O. M. Lawton was back home and addressed the staff of the Youngstown Receiving Hospital on "The Neuroses". Martin Conti, the first medic to join the services in 1939 was still out on an island in the Pacific. The service records of Lt. Col. H. E. Hathhorn, Major Barclay Brandmiller and Capt. Lewis S. Shensa were published. Brandmiller made four combat landings; he has a bronze arrowhead and five campaign stars. Gordon Nelson was named a member of the state committee on medical care of veterans.

David Brody became a Fellow of the American College of Surgeons. Frances Miller was elected a Fellow of the American College of Radiology. Leonard Caccamo was certified a Diplomate of the American Board of Internal Medicine.

New members that month were: J. J. Campolito, R. M. Foster, and U. H. Boening. Sam Badal received his 50-year pin. He came from Persia to complete his medical studies in Cleveland and while there his relatives back home were tragically killed. He married Angelina Jesson, a trained nurse and came to Lowellville. He practiced there for 50 years and everybody loved him.

## THIRTY YEARS AGO — MARCH 1956

President G. E. DeCicco devoted this editorial to the prevention of accidents and pointed out that in 1955, 92,000 people died in accidents, but 9,200,000, were injured.

Editor Chuck Stertzbach pointed out that our code of ethics stated "A physician should cheerfully give his professional services to other physicians and their dependents", but with the advent of Blue Cross and Blue Shield, many physicians were now covered for medical and surgical conditions. He wondered if this called for a change in the code of ethics. AMA delegate Bill Skipp answered that physicians should still not charge other physicians, but that the physician-patient could present the insurance check to the treating physician as a gift or donation.

Guest speaker for that month was Dr. Sam Gerber, Coroner of Cuyahoga County who became famous in the Dr. Sam Shepherd case.

## TWENTY YEARS AGO — MARCH 1966

Editor Bob Jenkins took a look at hospital care and came up with some suggestions. 1) Put in a Beauty Shop for female patients and a Barber Shop for male patients. 2) Put in showers so that ambulatory patients can "wash off the excess soap" from bed baths. 3) Provide Dry Cleaning and Laundry Service for patients who need clean pajamas or fresh clothes to wear home. 4) Provide motel facilities for families who come from out of town, especially for patients in intensive Care and Pediatrics. 5) Better and more parking facilities, and 6) Assistants at the Emergency doors. Good thinking, Bob!

Dr. Donald Rothrock died. He was a well-loved family doctor who was known as "the little man with the big voice". He always wore a big grin and

smoked a smelly cigar. He was an insulin-dependent diabetic and many of us learned about "brittle" Diabetes whenever he was a patient. The Diabetes finally killed him at 71, but not our memory of him.

New members that month were Richard S. Richards, M.D. and Em. R. Turok, M.D.

### TEN YEARS AGO — MARCH 1976

Medical Ethics came up again. This time the Council of the Medical Society was concerned about advertising by Physicians which is strictly forbidden in the AMA Principles of Medical Ethics. They came up with the following recommendations to the Board of Censors: 1) News stories that provide educational material to the public are encouraged. Also news stories that create public confidence in the hospitals, the physicians and in sound medical procedures are desirable. 2) However, any news stories that associates a physician's name with a medical procedure should be carefully scrutinized. A story submitted to the news media about a new or unusual procedure should not name the physicians involved. Any story that implies that a named physician is the only one who can accomplish a specific procedure will be considered unethical unless final clearance is given by the Board of Censors.

Later, all this was declared "restraint of trade" by the F.T.C.

Dr. Henri Schmid passed away at the age of 94. He was the Director of the Venereal Disease Clinic and conducted educational programs for the physicians and the general public. A urologist, at the time of his death, he was Youngstown's oldest living physician.

New members that month were Subbarayudu Cuddapah, M.D. and Nazim A. Jaffer, M.D.

Robert R. Fisher, M.D.

### WESTERN RESERVE CARE SYSTEM C.M.E.

- Mar. 13 "Pediatric CPC", J. J. Anderson, M.D. Tod Classroom #1, Northside, 8 a.m., Pediatrics.
- Mar. 13 "Parenteral/Enteral Nutrition", T. M. Zipp, M.D. Hitchcock Auditorium, Southside, 8 a.m., Internal Medicine.
- Mar. 15 Tumor Conference, R. Warren, M.D., Moderator. Hitchcock Auditorium, Southside, 8 a.m.
- Mar. 18 "Airway", M. McHugh, M.D., F.A.A.P. Tod Classroom #2, Northside, 8 a.m., Emergency Medicine.
- Mar. 20 "The Management of Inflammatory Pain", J. C. Daniels, M.D. Hitchcock Auditorium, Southside, 8 a.m., Internal Medicine
- Mar. 22 Tumor Conference, M. Bhatti, M.D., Moderator. Hitchcock Auditorium, Southside, 8 a.m.
- Mar. 22 "Intravenous Anesthesia in Children", D. M. Miller, M.D. Tod Classroom #2, Northside, 8 a.m., Anesthesiology.
- Mar. 25 "R.M.R. - Stat Line", G. Thorn, R.Ph. Tower 2 Conference Room, Southside, 8 a.m., Emergency Medicine.
- Mar. 27 "Infections in the Elderly", D. Louria, M.D., Hitchcock Auditorium, Southside, 8 a.m., Internal Medicine.
- Apr. 1 "Abdominal Emergencies", E. Izsak, M.D., F.A.A.P. Tod Classroom #2, Northside, 8 a.m., Emergency Medicine.
- Apr. 3 6TH ANNUAL CANCER SYMPOSIUM, Mr. Anthony's, Boardman, Ohio.
- Apr. 5 Tumor Conference, L. Pass, M.D., Moderator. Hitchcock Auditorium, Southside, 8 a.m.
- Apr. 5 "Neuromuscular Disease and Relaxant Therapy", M. Dasu, M.D. Tod Classroom #2, Northside, 8 a.m., Anesthesiology.

# The second best reason to buy an Inter-Tel System.



Good looks are never enough. So we combined them with the latest technology and unparalleled service and support,

Choose from 2-32 lines, 10-128 phones and from any number of unique but no less necessary features. Features that help you control costs and increase productivity, with installation and service standards wrought from more than 15 years of industry experience.

Inter-Tel. The right choice for your communications system. For complete product, support and service information, call us at: (216) 743-1786.

TELE-SOLUTIONS, INC.

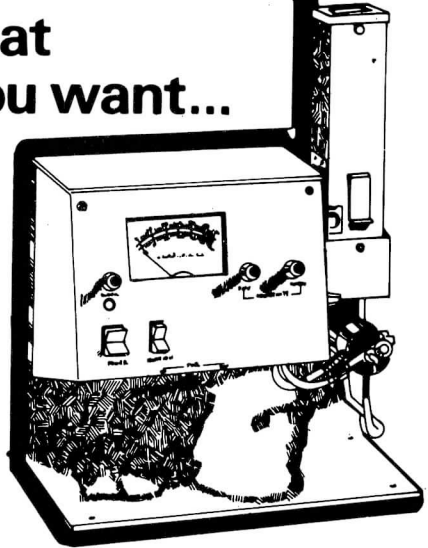
785 W. Rayen Avenue  
Youngstown, OH 44502

An authorized **INTER-TEL** dealer.

**You know what  
equipment you want...**

***We're here  
to see  
you get it!***

For professional  
financial service, call  
Mr. Richard E. Davis,  
vice president  
at 742-7000



**MAHONING BANK**

**...your family financial center**

Member F.D.I.C.

**Professional  
protection  
exclusively since  
1899.**

Robert Dowdy, Suite 111  
1 Commerce Park Square  
23200 Chagrin Blvd.  
Beachwood, OH 44122  
(216) 464-9950

**THE**

**MEDICAL PROTECTIVE COMPANY**



# ITEMS

## *From the Exec's Desk*

ROBERT B. BLAKE, Executive Director

We hear reports from California that the lawyers of that state are now crying about the fact that there appears to be a growing crisis in legal malpractice insurance, and some attorneys claim they can't get coverage at any practice insurance. More than 20 companies have stopped writing legal malpractice. It should be noted that lawyers have maintained for years that there is no professional liability insurance problem. In Ohio, the OSMA Liability Insurance Task Force is right in the middle of the problem, seeking ways to alleviate the situation.

\* \* \* \* \*

Young physicians whose wives helped put them through medical school have an added motivation to make their marriages work. A New York Court of Appeals has upheld a lower court ruling that a medical license acquired during marriage is considered marital property. As such, it is subject to "equitable distribution" in case of divorce. In its unanimous decision, the Appeals Court upheld a \$188,800 award to the doctor's ex-wife! New York is one of several states that have such statutes on their books.

\* \* \* \* \*

If you are tired of the professional liability program and the insurance costs which go along with it, you might consider moving your practice to Japan. Japanese physicians are sued for malpractice only one-tenth as often as their American counterparts, according to Medical Economics. The reason is that Japanese tradition and culture defer to authority and physicians are authority figures.

\* \* \* \* \*

Documentation of problems involving DRGs and third-party payors is needed in order to try to alleviate the problems. Any physicians having problems should delineate the problem concisely and send it to this Society's office. It will then be channeled to the proper place for action.

## FROM THE MEDICAL ASSISTANTS

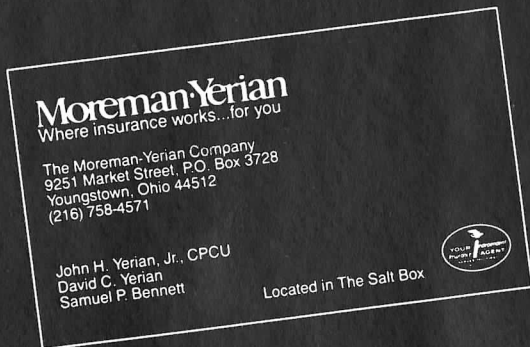
The Mahoning County Medical Assistants met at Choffin Career Center on February 4, 1986 at 7:30 p.m. The guest speaker was Fred Kunkel, M.D. who gave an interesting and informative presentation on cardiac diseases and cardiac rehabilitation.

The Mahoning County Chapter had seven active and nine student members registered to attend the Ohio State Society of Medical Assistants Winter Seminar in Cleveland on February 16. This seminar was sponsored by the Cuyahoga County Medical Assistants and continuing education credits were offered.

Our chapter will meet again on Tuesday, April 1, 1986 at the Choffin Career Center at 7:30 p.m. for a presentation by Daniel W. Handel, M.D. entitled "Dermatology."

# CALLING CARD —

## MEDICAL PROFESSIONAL LIABILITY INSURANCE.

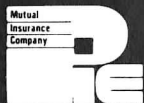


Seven patients in the waiting room and your office assistant just gave her two-week notice. When does a doctor have time to think about malpractice insurance? Moreman-Yerian knows you have a lot on your mind. So when Moreman-Yerian presents their calling cards to you their message will be to-the-point: As representatives of The PIE Mutual Insurance Company, they can offer you the broadest forms of competitively-priced medical professional liability coverage. They'll also tell you that PIE Mutual writes the highest limits of any carrier in Ohio—\$11,200,000/\$11,600,000.

PIE Mutual's only business is medical professional liability insurance. And PIE Mutual is the only medical professional liability insurer in Ohio owned and governed by its member-physicians.

PIE Mutual—represented in northeast Ohio by The Moreman-Yerian Company. This company's calling card is worth making time for.

**Moreman-Yerian**    **The Moreman-Yerian Company**  
**9251 Market St., Box 3728**  
**Youngstown, OH 44512**  
**(216) 758-4571**



**PIE MUTUAL INSURANCE COMPANY**  
100 Erieview Plaza—15th Floor  
Cleveland, OH 44114



**Doctor:**

**WE HELP YOU  
HELP YOUR  
PATIENTS AT HOME**

**EQUIPMENT AND SUPPLIES FOR:**

*Nursing Care*

*Respiratory Therapy*

*Oxygen Therapy*

*Physical Therapy*

*Rehabilitation*

*Exercise and Fitness*

*Pain Control (TENS)*

*Orthopedics*

*Traction*

*Blood Glucose Monitoring*

*EMG Biofeedback*

*Ostomy Care*

*Incontinence Care*

*Apnea Monitoring*

*Decubitus Prevention*

*Low Back Support*

*Venous Pressure  
Support*



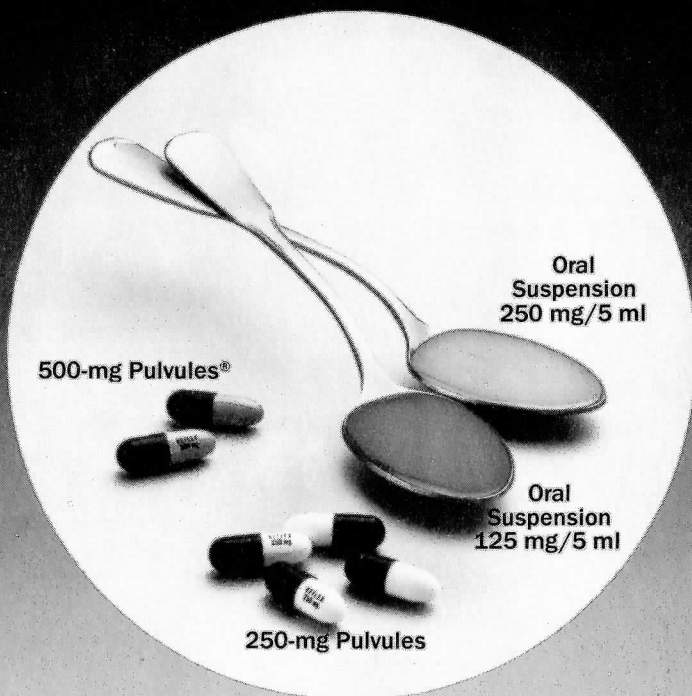
**SALES/SERVICE**

**Showroom Store  
1821 Belmont**

**746-8871**

*Youngstown's Oldest "Exclusively Medical" Home Service*

# Easy To Take



**Keflex**®  
cephalexin

Additional information  
available to the profession  
on request.



420113

**Dista Products Company**  
Division of Eli Lilly and Company  
Indianapolis, Indiana 46285  
Mfd. by Eli Lilly Industries, Inc.  
Carolina, Puerto Rico 00630

## WHY FACT AND TRUTH ARE NOT THE SAME

It is no doubt true that most people do die in their beds. But to draw the apparent conclusion that it is herefore safer never to go to bed would be fallacious. We ought to be able to distinguish clearly between merely factual statements and the vital truth.

## PHYSICIAN OFFICE SPACE

BOARDMAN - AUSTINTOWN

Call: LUXOR MANAGEMENT

726-8118

## Classified Advertising

### FOR SALE: OFFICE CONDOMINIUM

3000 sq. ft. 2-man office in Boardman professional condominium. Ideal location on Boardman-Canfield Rd., central to Boardman, Poland, Canfield and south side Youngstown. Nearby lab and x-ray. \$325,000 firm. 758-6923 or 533-3268. tf

### REAL ESTATE

Sharp 3-bedroom ranch in Logan Arms. Ideal for executive and physicians. Large wooded lot, professionally landscaped. Owner relocating and must sell. Will finance to qualified buyer at 10%.

Contact 759-7964

### NOTICE

Limited space available in new medical office building on Parmalee Avenue. Suites will be completed to tenant's specifications. Occupancy scheduled for October/November 1984. Contact Dr. Pesa/Gilliland/Kohli, if interested. Stf.

### • CONDO FOR SALE •

5 year old, attractive, 2 bedroom condo for sale in residential area behind Austintown Plaza. Private driveway, Air conditioning. Oak kitchen. 1½ baths. Upper 40's. 793-7924, 799-7920.

### FOR SALE

American Optical 35 cm flexible Sigmoidoscope with light source, perfect condition. Dr. Robert Sinsheimer — 726-0187. tf.



### PHYSICIANS

The Air Force can make you an attractive offer — outstanding compensation, regular working hours plus opportunities for professional development. You can have a challenging practice AND time to spend with your family. Find out what the Air Force offers specialists up to age 58. Contact:

CALL COLLECT  
(216) 522-4325



# Your Communication And Business Center

TELEPHONE ANSWERING

COLLECTIONS

For complete details please telephone your

**Medical-Dental  
Bureau, Inc.**

901 Home Savings & Loan Bldg.  
275 Federal Plaza West  
Youngstown, Ohio 44503

(216) 744-4040

Judy Bloomberg, Manager