



A Fond Farewell: **Lessons Learned as COPIC's CEO**

by Dr. Ted Clarke

As I worked with Dr. Gerald Zarlengo in preparation for him to take over as CEO, he consistently asked me what I learned during my 14-year tenure. I reiterated that experience is the best teacher, and the best experiences are rooted in learning from your mistakes. I have no doubt that Dr. Zarlengo will do an excellent job and here are a few words of wisdom I shared with him.

Mission, mission, mission

It is your true north. Whenever you try to address a problem or initiate an effort, always ask whether the solution or objective adds to COPIC's mission. Quality pays for itself as patients with good outcomes are not litigious. I have always thought that the ultimate confirmation of our mission would be when our policyholders proudly advertise that they are COPIC-insured.



answers for current challenges. Listen to what they have to say because you never know where a solution may emerge and what perspective you may not have considered.

You are a doctor, and I believe you should stay a doctor

My predecessor and mentor, Dr. Jerry Buckley, strongly encouraged me to keep my hand in medicine. He correctly reasoned that such involvement would increase my awareness of the issues confronting the health care system, and this has proven to be true.



Articulate your vision

To use an analogy from Jim Collins' book, *Good to Great*, you are the bus driver. Your passengers include our board, our staff, our customers, and a variety of other stakeholders. Everyone wants to know where the bus is heading, and as you look around, you will find that all eyes are on you. Your vision and COPIC's vision must focus on where we are going.



Trust your team

As a physician and surgeon you had to develop an independence. "The buck stops here" is a surgical mantra, and believing and accepting that you are ultimately responsible underlies much of one's success in medicine. However, your role at COPIC will be far different. You are working with a staff of 100+ who have been recruited for specific company needs. There are times when it will seem

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FAREWELL DR. TED CLARKE (FROM PAGE 1)

overwhelming, primarily because it is. But, trust those around you, they are here for a reason.

Be true to yourself

You were picked for this position in part because of your values. Your resume attests to your commitment to the health care delivery system, and your numerous activities outside of medicine confirm your commitment to our community. You were also picked because of your personality that fills the room with your warmth, enthusiasm, and humor. Just as you nourish your brain by learning new ways and mastering new challenges, so too must you nourish your soul to maintain and grow your inner self.



Enjoy your time (it goes by fast)

I hope you have as much fun with this job as I have had. Somehow, I imagine you will.

Dr. Clarke was named COPIC's Chairman and CEO in 2005 and has served on its Board since March 2002. During his tenure, COPIC reinforced its role as an industry leader in patient safety and risk management, expanded services into multiple states, and successfully grew the COPIC Medical Foundation to support health care initiatives.



2019 PREMIUM RATES TO REMAIN STABLE

This marks seven consecutive years of stability for COPIC insureds

COPIC is proud to announce that 2019 premiums for our insureds will remain stable. As in previous years, there are several notable factors that contribute to this ongoing stability:



Positive claims trends—The frequency of claims continues to be at a lower historical rate while there is a slight increase in severity (total amount paid) along with an increase in the associated costs of defending a claim. These trends create a net result that reinforces stability.



Shared commitment to improve outcomes—As COPIC identifies medical liability trends, we develop educational resources to inform insureds of risks so they can address them. This has proven effective because insureds recognize the importance of our partnership and utilize our support on an ongoing basis.



Legislative advocacy to reinforce the practice of good medicine—COPIC's Public Affairs team is dedicated to monitoring policy and regulatory changes that may impact medicine. By working closely with our partners, we are able to represent the interests of the health care community and strongly support efforts to deliver the best patient care.



Disciplined ratemaking and underwriting—COPIC's comprehensive, conservative approach remains rooted in a thorough analysis of claims data, detailed reviews of medical trends, and informed projections to determine annual rates.



Unparalleled defense—COPIC strongly defends good medicine. Other carriers may choose to settle because it's the "least costly" option, but we stand by our insureds. We also offer our Care for the Caregiver® program for peer support to help manage the emotional stress that may arise.

- Base rates for all physician insured specialties and allied health professionals (AHPs) will remain the same.
- Base rates remain at 5 percent of the net premium for all physicians and AHPs (with separate limits of liability) who perform services on behalf of a professional corporation (PC).
- Rating factors that determine facility premiums have not increased.

We are currently assessing our increased limits factors (applies to limits above \$1/\$3m), which may result in an overall premium increase for a small number of policyholders. Any policyholder impacted by a premium increase will receive advanced notice of these changes.

COPIC WELCOMES NEW BOARD MEMBERS

Dr. Harris Frankel

Senior Vice President and Chief Medical Officer, The Nebraska Medical Center; Assistant Professor, Department of Neurological Sciences; Medical Director, Clinical Neuroscience Center



Dr. Frankel is a native of Omaha, Nebraska and received his medical degree from the University of Nebraska College of Medicine. After nearly 21 years of private practice, Dr. Frankel joined the Department of Neurological Sciences at the University of Nebraska Medical Center, and joined the Executive Leadership Team in January 2014. Dr. Frankel is a member of a number of professional organizations including the American Academy of Neurology, the Nebraska Academy of Neurology and Neurosurgery, and the American Medical Association. He is a past president of the Metropolitan Omaha Medical Society and the Nebraska Medical Association.

Harold R. Roth

Executive Vice President/Chief Financial Officer & General Counsel, the Colorado Rockies



Hal Roth has served as the Rockies' chief financial officer since August 1993 and as general counsel since the summer of 2000. He also currently serves as a trustee of Major League Baseball's Non-Uniformed Personnel Pension Plan, as well as being a member of the MLB Insurance Committee. Prior to joining the club, Roth was a partner with the public accounting firm of Coopers & Lybrand for 19 years. He has served on a variety of charitable boards, including the Colorado Council on Economic Education, Colorado Children's Chorale, the Colorado Neurological Institute, and Seniors Inc. He is currently an advisor to DECA, a high school business program.



COPIC MEDICAL FOUNDATION: RECENT GRANT FUNDING

The COPIC Medical Foundation supports initiatives that improve health care outcomes, patient safety and quality of care. Recent grant funding from the Foundation was provided to the following:

Airway Safety Movement—As part of the national initiatives of the Patient Safety Movement, this project will focus on preventing unplanned extubations through the development and dissemination of awareness initiatives that include identifying current gaps, tracking incidents, and implementing quality management efforts.

Denver Health Simulation Center—The Denver Health Foundation will use funding to equip the Center with simulation technology to educate and train health care professionals, from students and residents to practicing clinicians.

Healthy Transitions—Funding to bring together key stakeholders that participated in the Center for Improving Value in Health Care initiative to improve outcomes following transitions of care through

shared learning, best practices, and a focus on provider, patient, family and caregiver experiences.

Human Worn Partial Task Surgical Simulator—Funding for Poudre Valley Hospital & Medical Center of the Rockies Foundation/UC Health to purchase a "cut suit" to integrate into existing educational efforts. This "cut-suit" technology offers much more realism than simulation manikins, as it includes breakable bones, interchangeable organs, and variable blood flow.

Nebraska Perinatal Quality Improvement Collaborative—Funding for the continued development and implementation of a regional neonatal encephalopathy registry that will provide information on the pregnancy, delivery, and treatment of neonates at risk for encephalopathy.

Surgical Mentorship Pilot Project—This Lutheran Medical Center Foundation program is designed for early-career surgeons to learn the technical and leadership aspects of a safe and successful surgery practice.

Metro Omaha Medical Society (MOMS) Provider Wellness Initiative—The MOMS Foundation will use funding for a pilot program that establishes peer support groups and provides training for facilitators with the goal of addressing provider burnout and physician well-being.

Colorado Hospital Substance Exposed Newborns Collaborative (CHOSEN)—Funding to support this initiative that aims to increase consistency in implementation of best practices in the identification of and response to newborns prenatally exposed to substances.



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can be accessed on callcopic.com.

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THE LEGISLATIVE LANDSCAPE

KEY HEALTH CARE ISSUES IN 2019

Following the November election results, we are preparing to enter the next legislative session that will still be reeling from the highly partisan elections with strong opinions on health care. Also, there are two major health care-related acts—Professional Review Act and Medical Practice Act—that will be up for review.

THE REVIEW PROCESS

In the 1970s, the state of Colorado implemented the “sunrise and sunset” review processes for Acts that apply to regulated professions, occupations, government agencies, rules, programs and functions. The review processes determine what should be regulated or evaluated, and if an existing regulation, program or sector of the government is still needed. The processes were intended to respect the changing nature of things by periodically creating a review so the oversight regulations could be updated or revised as deemed appropriate.

This year, the Colorado Department of Regulatory Agencies Office of Policy, Research and Regulatory Reform (DORA) conducted sunset reviews of the Colorado Professional Review Act (CPRA) and Medical Practice Act (MPA). DORA released its recommendations to continue (with minor changes) the Acts on October 15, 2019. The Acts will be made into bills and introduced at the General Assembly in January for legislative debate and passage.

PROFESSIONAL REVIEW ACT

CPRA provides the protections needed for professional or peer review. CPRA improves patient safety by encouraging a candid, comprehensive assessment of medical professionals by their peers. Review committees evaluate the competence, quality and appropriateness of patient care and professional conduct by physicians, physician assistants and advanced practice nurses. CPRA protections have been reaffirmed several times during the last four decades by the General Assembly and upheld in Colorado’s highest court.

MEDICAL PRACTICE ACT

MPA is the law that establishes the Colorado Medical Board and its authority to regulate the practice of medicine. The MPA includes laws controlling the licensing and practice of physician assistants and anesthesiology assistants in addition to the licensing standards for medical doctors and doctors of osteopathy.

These Acts are critical to the practice of medicine in Colorado. COPIC, along with our partners in health care, will be working diligently to address any amendments that are detrimental to improving health care delivery and patient safety. Stay tuned to legislative updates and alerts beginning in January 2019.



2018 STATE ELECTION RESULTS

Colorado entered the 2018 elections with the Republicans holding a narrow majority in the Colorado Senate with 18 seats to 16 seats (and 1 Independent). The Democratic-controlled Colorado House of Representatives held a wider majority at 36-29. The November elections resulted in the Democrats reclaiming the Senate majority with a 19-16 margin. And it appears Democrats will extend their control of the House of Representatives by a 41-24 majority based on estimates at the time of

publication of this newsletter. With Jared Polis being elected governor, it is expected that health care will be one of his policy priorities and an issue that he will be actively engaged in. During his campaign, he highlighted the following aspects of health care: universal coverage, mental health and confronting the opioid crisis, and bolstering Colorado’s health infrastructure.

During the summer, COPIC conducted several meetings with Republican and Democratic incumbents and candidates. These

were designed to inform legislators about the issues that are vital to maintaining Colorado’s positive health care environment. They also provided opportunities to hear candidates’ views on positions and engage in thoughtful discussions. In a landscape with strong partisan divisions, COPIC’s legislative advocacy continues to offer a non-partisan perspective on health care. We are in a unique position to share insight that considers both the challenges of medical providers and the concerns of patients.

COLORADO'S TORT ENVIRONMENT

COPIC is very aware of the benefits of a favorable tort environment, which has allowed the health care community to focus its attention on improving the quality of care and patient safety. This stable environment also allows COPIC to focus on assisting physicians, administrators, and other providers by offering continued education and protecting the patient-physician relationship through our 3Rs Program. A stable and predictable tort environment provides a level of comfort that allows administrators to focus on the changing business of health care and providers to focus on delivering quality care.

It is for this reason that COPIC has advocated to legislators throughout its history the importance of the Health Care Availability Act (HCAA). Reinforcing the message of how

the reforms provided by HCCA impact access to safe, quality care requires COPIC's continued involvement in policy discussions at the Colorado Legislature.

COPIC'S SUPPORT FOR LEGISLATORS

To ensure that legislators who support Colorado's stable tort environment succeed in their run for the legislature, COPIC supports them with financial contributions directly to their campaigns as well as with positive campaign communications supporting their candidacy. Each election, COPIC ensures that campaign communications it sponsors are consistently positive and free of attacks on any candidate. We refuse to contribute to the negative tone that seems to permeate the campaign season.



As always, COPIC will continue to monitor legislative activities with our partners, including the Colorado Medical Society and Colorado Hospital Association. To learn more about COPIC's legislative and policy engagement efforts, contact Beverly Razon, Vice President of Public Affairs, at (720) 858-6056 or brazon@copic.com.

For information on legislation or to find your elected officials, visit us at www.callcopic.com and go to the Legislative Action Center link under the Resource Center section.

COPIC PARTNERS WITH ACCELERATOR PROGRAM TO SUPPORT HEALTH TECH STARTUPS

COPIC and Boomtown Accelerator have teamed up to form a startup accelerator to fund and train 20 early-stage patient safety and risk management startup companies over the next three years. The startups are focused on reducing medical errors and improving patient safety, quality of care, disease management, and transitions in care using tools such as software, devices, analytics, artificial intelligence and other tech applications.

PROGRAM OVERVIEW

Boomtown runs a competitive selection process for very early-stage (pre-commercialization) startups from all over the country to participate in the accelerator's twice annual, three-month program at its offices in Boulder, CO. Each selected startup receives a robust training program that guides founders through core subject areas such as product development, financial modeling, working with investors, and presentation skills. The program also provides \$20,000 in funding. Health care specific topics include the shift to value-based care, data security and interoperability, regulatory strategy, intellectual property, and HIPAA compliance. Programming is supplemented with a network of subject matter expert mentors.

APPLICATION PROCESS

Know a startup that would be a good candidate for this program? Qualified startups should refer to <https://boomtownaccelerator.com/apply/> to apply for the next program that begins February 25. Boomtown reviews applications on a rolling basis. The earlier you apply, the better. Providers that may be interested in serving as subject matter expert mentors or facilities that may be interested in serving as product testing sites are encouraged to contact Tom Base at: tom@boomtownaccelerator.com

BOOMTOWN

Patient Safety
Health Tech Accelerator



THE LEGISLATIVE LANDSCAPE

LOOKING FORWARD TO THE 2019 SESSION

The recent November elections resulted in the reelection of Governor Pete Ricketts, Attorney General Doug Peterson, and U.S. Senator Deb Fischer to second terms. Two state senators were elected to different offices: Sen. John Murante of Gretna was elected State Treasurer and Sen. Dan Watermeier of Syracuse was elected to the Public Service Commission. The Governor will appoint replacements to those legislative seats for the 2019 legislative session.

Nebraska also saw voters approve Medicaid expansion 53% to 47%, despite opposition by GOP state legislators and Governor Ricketts. It is estimated that 90,000 uninsured Nebraskans will gain access to Medicaid with the passage of this ballot initiative.

The expansion will apply to 19 to 64 year-olds earning up to 138 percent of the federal poverty line, approximately \$17,000 for individuals or around \$35,000 for a family of four.

The elections also determined who would be holding seats in half of Nebraska's 49 legislative districts. Notably, three incumbents were defeated: Sen. Theresa Thibodeau of Omaha, Senator Laura Ebke of Crete, and former hospital executive Sen. Merv Riepe of Ralston. Senator Ebke had chaired the Judiciary Committee and Senator Riepe had chaired the Health and Human Services Committee.

Although officially non-partisan, the Legislature will have two more registered Democrats in 2019 than in this year's body. The partisan split in 2019 will be 30 Republicans, 18 Democrats, and one Independent.

While there will be no physicians in the legislature, John Arch, a hospital CEO, was elected to represent the Papillion area.

The major challenge senators will face next year will be adopting a new state budget in another year of stagnant revenue growth and the continued pressure to provide property tax relief.

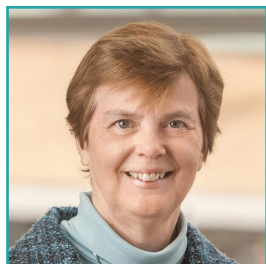
Because voters approved the Medicaid expansion, there will be an additional challenge in squeezing the estimated \$50 million annual cost into the tight budget. Opponents have already threatened cuts to the existing program and to other entities like the University of Nebraska.



The Legislature session starts Jan. 9 and is scheduled to adjourn in mid-April.

At COPIC, we continue to monitor policy and work with our partners at the Nebraska Medical Association and Nebraska Hospital Association. As always, we remain dedicated to improving medicine in the communities we serve and seeking out ways to change the status quo on medical professional liability so that it better serves all parties.

As always, feel free to contact Beverly Razon, COPIC's Director of Public Affairs, at 720-858-6056 or brazon@copic.com if you have any questions or comments.



2018 COPIC Humanitarian Award: Dr. Debra J. Romberger

We are proud to announce that Dr. Debra J. Romberger, a pulmonary disease specialist with Nebraska Medicine, was chosen as the 2018 recipient of COPIC's Humanitarian Award. Dr. Romberger was recognized for over 20 years of volunteer service at One World Community Health Centers, Inc.

One World partners with the community to provide high quality, culturally respectful, and affordable care to the medically underserved. Dr. Romberger works with patients at a tuberculosis (TB) prevention clinic, which provides care for almost half of all the TB cases in Nebraska.

As a University of Nebraska Medical Center (UNMC) faculty member, Dr. Romberger involved medical students, residents and pulmonary fellows in caring for patients in One World's multicultural setting. She has also worked with public health students to develop a "Tuberculosis Express" clinic that allows working patients more scheduling flexibility. Since 2015, Dr. Romberger has served as the Chairperson of the Department of Internal Medicine at UNMC.

"It's good to get exposure to a diverse patient population. I see that some in my own practice, but you learn from patients and you learn from their situations. You feel like you're helping them in some small way," said Dr.

Romberger. Her efforts to improve processes at One Health have been highlighted in published articles about its innovative approach to patient-centered, culturally competent care, enabling other TB clinics to benefit from their experiences.

"Dr. Romberger has been a public health champion to protect and prevent TB outbreaks in our community. She is beloved by her patients and One World's staff because of her commitment to serving others," said Andrea Skolkin, CEO for One World. "She cares deeply for each and every individual she treats, so many of whom are facing significant challenges in their lives. Her warm heart makes their journey a lighter one."

The Humanitarian Award recognizes a physician going above the call of duty in the Nebraska health care community. Dr. Romberger chose One World Community Health Centers as the beneficiary of the \$10,000 grant associated with the Award.

Nebraska Opioid Resources

Effective July 19, 2018, new Nebraska legislative bills related to opioids were implemented. **LB 931** outlines requirements for medical practitioners when prescribing more than a seven-day supply of opiates for patients younger than 18 years of age for outpatient and acute conditions. **LB 788** adds a requirement that physicians, physician assistants, nurse practitioners, nurse midwives, dentists, podiatrists, and veterinarians who prescribe controlled substances earn at least three hours of continuing education biennially regarding prescribing opiates.

Below are new resources related to the legislation:

- ➔ **Information about Nebraska's Prescription Drug Monitoring Program**—<http://dhhs.ne.gov/publichealth/PDMP/Pages/Home.aspx>
- ➔ **Nebraska Pain Management Guidance Document**—<http://dhhs.ne.gov/publichealth/PDMP/Pages/PainResources.aspx>
- ➔ **Nebraska Meds Coalition**—Medication Education for Disposal Strategies— <http://www.nebraskameds.org/>

Sandy Johnson to Retire from COPIC



We are sad to announce that Sandy Johnson, COPIC's Director of Nebraska Market Relations, will be retiring at the end of the year. Sandy joined COPIC in 2008 and has been instrumental in expanding and managing COPIC's relationships throughout Nebraska's health care community.

Prior to joining COPIC, Sandy was the Executive Vice President for both the Nebraska Foundation for Medical Care and the Nebraska Medical Association.

Taking over for Sandy will be Dale Mahlman, the executive vice president at the Nebraska Medical Association. We look forward to having Dale join our team and the wealth of experience he brings.

We want to thank Sandy for all her hard work and contributions over the years. She has been a steady presence, and dedicated to COPIC's mission of improving medicine and supporting those who make this possible.