



PULASKI COUNTY MEDICAL SOCIETY *News*

November 2023

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When you think professional, ethical, quality healthcare,
think physicians of Pulaski County Medical Society.

2023 Annual Membership Meeting and Dinner held November 9th

The Annual Membership Meetings for the Pulaski County Medical Society (PCMS) and Pulaski County Medical Exchange (PCME) were held Thursday, November 9, 2023 at the Robinson Center Ballroom.



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Closed Claim Analysis: Immunity of a Different Type

MATTHEW BAUER, JD, CLAIMS ATTORNEY, SVMIC;
REPRINTED FROM THE SVMIC SENTINEL

No doubt physicians are familiar with the concept of immunity in the medical context. However, there is another type of immunity with which physicians may not be familiar. Namely, immunity from legal liability. State legislatures have passed statutes granting immunity for a variety of activities that are deemed beneficial to society and promote the public good provided specific requirements are met. The reason for these immunity statutes is that legislatures want to encourage individuals to engage in certain types of activities by removing the disincentive of potential liability exposure flowing from such activities. For instance, many states have passed legislation granting immunity to physicians for the treatment of COVID during the pandemic. If this sounds too good to be true, you may be right as COVID immunity laws have not been tested in the courts yet. It is unknown how the courts will apply such statutes, and what their efficacy in protecting physicians will be. However, as demonstrated by the closed claim below, SVMIC has had cases where immunity statutes have been used to defend insured physicians in lawsuits.

The sixty-year-old male emergency room due to During hospitalization, insured cardiologist Dr. patient suffered myocardial the hospital. Resuscitation and the patient expired. death certificate statute he medical certification and returned... by the patent's care for the illness in death within forty-eight Additionally, the Tennessee instituted a web-based, completion and registration Vital Records Information



patient presented to the chest pain and heart failure. the patient was treated by Smith. Unfortunately, the infarction and coded at efforts were unsuccessful, Pursuant to the Tennessee (T.C.A. § 68-3-502), "[t] shall be completed, signed physician in charge of the or condition that resulted (48) hours after death". Office of Vital Records has electronic system for the of vital records called the System Management

(VRISM). Due to a systems issue, the death certificate for the patient was not available in the VRISM for Dr. Smith to review and complete the medical section of the death certificate for several days. Consequently, the patient's death certificate was not certified within the 48-hour statutory time frame through no fault of Dr. Smith. However, once the systems issue was resolved and the patient's death certificate became available for review in the VRISM, Dr. Smith reviewed, completed, and certified the relevant medical section within a few hours of its availability.

A lawsuit was subsequently filed against Dr. Smith alleging he negligently filled out the death certificate with undue delay causing economic injury and emotional distress to the patient's surviving spouse. SVMIC hired defense counsel for Dr. Smith, and defense counsel filed a Motion to Dismiss (MTD) based upon the immunity statute found at T.C.A. § 68-3-513, which states "[a]ny physician who in good faith complies with [the requirements of the Tennessee death certificate statute] shall be immune from civil suit for damages."

The MTD argued that the plaintiff failed to state a claim upon which relief could be granted because the plaintiff did not plead any facts in the Complaint that would establish Dr. Smith acted in bad faith or failed to act in good faith in the certification of the death record, and therefore, T.C.A. §68-3-513 applied to Dr. Smith making him immune from civil suit for damages. After a hearing, the Court granted Dr. Smith's MTD and dismissed the lawsuit with prejudice.

In addition to the death certificate immunity statute discussed above, state legislatures have passed statutes granting legal immunity to physicians in a variety of other contexts to encourage certain health care activities. For instance, many states have immunity statutes covering volunteer and good Samaritan scenarios as well as quality review committees provided specific requirements are met. If only immunity from COVID infection could also be addressed by passing a statute!



www.svmic.com/arkansas

For more information about SVMIC, contact our Arkansas representative, Sharon Theriot.

Sharon.Theriot@svmic.com | 870.540.9161

2023 Annual Membership Meeting and Dinner

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During dinner M1 Student Jordan Marsh, PCMS Board Student Representative, presented the Outstanding Student Award to M3 Student Philomena MacKean.

Dr. Nicholas Brucker, PCMS President, presented the 2023 Young Physicians Award to Dr. Aleobe Eruemulor, and the Presidents Award for Outstanding Contributions to Medicine to Dr. Lawrence Mendelsohn.

The members heard a report from UAMS Student Malanie Beehler who spoke about the 12th Street Pop-Up Clinic project that was funded by the society.

The keynote speaker was Arkansas Surgeon General Kay Chandler, MD. She spoke to the membership about the Governors Health Care agenda for her term.

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Arkansas Surgeon General Dr. Kay Chandler gives the keynote address.



Dr. Lawrence Mendelsohn receives the 2023 Presidents Award for Outstanding Contributions to Medicine.



Dr. Aleobe Eruemulor receives the 2023 Young Physician Award.

**PCMS wishes to extend
a special thank you to our event Sponsors:**
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SVMIC®

2023 Annual Membership Meeting and Dinner

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UAMS students with Sharon Theriot and Melony Hilton from SVMIC



(L-R) Kim Chandler, Dr. Kay Chandler and Dr. Ken Singleton



UAMS Student Malanie Beehler reports on her project funded by the society.



Bowen Hefley Orthopedics Breaks Ground on New Campus and Medical Practice Building in North Little Rock

Bowen Hefley Orthopedics broke ground October 25th on the site of their new campus and medical building in North Little Rock. This campus and medical building are located in the NorthShore Business Park at 5220 Northshore Drive, across from Arkansas Surgical Hospital. Teresa Stewart, Bowen Hefley Orthopedics CEO, shared the following statement about the new facility:

"The new facility for Bowen Hefley Orthopedics will be fully equipped with state-of-the-art digital capabilities for the best in orthopedic patient care. Attention was taken to design a building that will provide a pleasant, peaceful experience at a time when patients are often challenged as they seek care for their bone or joint condition.

"The building will feature a covered drive through, ample, near-the-door parking, and a spacious lobby. The lobby includes a coffee bar, fireplace, and single-floor access to the imaging and doctor areas, all designed to provide convenience for patients. The location is near a major crossroads for the state, and yet in a quiet business park neighborhood that is free from traffic congestion which can be difficult for patients, especially those traveling from a distance. The new practice is adjacent to Arkansas

Surgical Hospital, a facility that consistently does the most (by a factor of two) total joint replacements for the state and is ranked at the top in terms of outcomes, patient satisfaction, and low infection rate each year."

Bowen Hefley Orthopedics was founded in 1997 by Dr. William Hefley and Dr. Scott Bowen. The practice currently includes nine surgeons, six Physician Assistants, and six Physical Therapists, in addition to clinical and administrative staff. The primary procedures performed by the practice include total joint replacement of the hip, knee, and shoulder; upper extremity surgery; arthroscopic surgery of the knee, shoulder, and hip; general orthopedic surgery, and foot and ankle surgery.

The new Bowen Hefley Orthopedics medical building includes 26,390 square feet for their medical practice and Physical Therapy center. The new facility will be in addition to their Landers Road clinic in North Little Rock, as well as satellite clinics in Jacksonville, Cabot, Hot Springs Village, and Russellville.

It is anticipated that the new medical building will be completed and opened for patient care by Fall of 2024

CHI St. Vincent Infirmiry Recognized in Regional System Award for Heart Attack Care

[CHI St. Vincent Infirmiry](#), a participant in the American Heart Association Mission: Lifeline Regional Reports, has received the Mission: Lifeline® Regional STEMI Trailblazer Achievement Award as a part of the Arkansas Region. The award is presented for implementing specific quality improvement measures at a regional level as outlined by the Association for treating patients who suffer severe heart attacks.

"CHI St. Vincent is dedicated to participating in the Mission: Lifeline Arkansas Region and to providing optimal care for heart attack patients," said Marcia Atkinson, president of the [CHI St. Vincent Heart Institute](#). "We are pleased to be a part of a Mission: Lifeline STEMI System of Care recognized for its collective dedication and achievements in cardiac care. Our goal is to continue participating in the Mission; Lifeline Arkansas Region and to continue to deliver optimal care for each heart attack patient in our region."

Every year, more than 250,000 people experience an ST elevation myocardial infarction (STEMI), the deadliest type of heart attack, caused by a blockage of blood flow to the heart that requires timely treatment. To prevent death, it's critical to restore blood flow as quickly as possible, either by mechanically opening the blocked vessel or by providing clot-busting medication.

The American Heart Association Mission: Lifeline program's goal is to reduce system barriers to prompt treatment for heart attacks, beginning with the 9-1-1 call, to EMS transport and continuing through hospital treatment and discharge. The initiative provides



tools, training and other resources to support heart attack care following protocols from the most recent evidence-based treatment guidelines and encourages EMS, STEMI Receiving Centers, STEMI Referring Hospitals and other key stakeholders coming together to implement the "optimal" STEMI System of Care.

"These regions receiving the Mission: Lifeline Regional Trailblazer award are pioneers in STEMI Systems of Care implementation and are leading the way in care coordination, use of evidence-based care guidelines and coming together to assure a high-quality functioning STEMI System of Care." said Alice Jacobs, Professor of Medicine, Boston University School of Medicine and Chair, GWTG-CAD Systems of Care Advisory Work Group.

Optimal care for heart attack patients takes coordination at the individual hospital, EMS and system level – so the American Heart Association has identified CHI St. Vincent Infirmiry as a participant in the Mission: Lifeline Arkansas Region, and bestowed the Mission: Lifeline STEMI Regional Trailblazer award.

Baptist Health Medical Center-North Little Rock Opens Behavioral Health Unit

Baptist Health Medical Center-North Little Rock on Monday, Oct. 30, opened a new unit that increases access to life-saving behavioral health care.

"This new unit is yet another significant investment by Baptist Health to improve access to behavioral health services," said Cody Walker, president of Baptist Health Medical Center-North Little Rock. "Within the last year, Baptist Health has opened a new outpatient behavioral health clinic, a memory

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UAMS Awarded \$3.25 Million Federal Grant for Creation of Health Career Program in Delta, South Arkansas

The University of Arkansas for Medical Sciences (UAMS) received a five-year, \$3.25 million federal grant to support the creation of a program that will help students from 20 underserved counties in the Arkansas Delta and southern part of the state pursue careers in health care.

The Arkansas Delta Health Careers Opportunity Program (HCOP) Academy will recruit and assist students from disadvantaged or underrepresented backgrounds as they enter the educational pipeline, complete health professions programs and enter the health career workforce in their communities. Academy programs will serve high school juniors and seniors, undergraduate students, and adult and nontraditional learners.

The federal grant was awarded through the Health Resources and Services Administration (HRSA), an agency in the U.S. Department of Health and Human Services.

Arkansas is among the least healthy states in the nation, ranking 48th in a 2022 report by the United Health Foundation, a not-for-profit organization established by the UnitedHealth Group. This problem is more pronounced in the Arkansas Delta, where residents are disproportionately affected by medical conditions such as heart disease, cancer, strokes, obesity, diabetes and hypertension.

Chronic and pervasive gaps in the health care workforce are a significant factor, said Brian Gittens, Ed.D., MPA, vice chancellor of the UAMS Division for Diversity, Equity and Inclusion.

"Students in the Delta face numerous academic and socioeconomic challenges that serve as barriers to their success," he said. "We want to break down these barriers and create the opportunity to fill areas of need in the health care field."

Academy programs will focus on expanding the workforce in a variety of health care disciplines, including sonography, dietetics, health administration, medical lab technology, mental and behavioral health, occupational and physical therapy, physician assistant studies, public health, radiography, and respiratory therapy.

"UAMS is excited to establish the HCOP Academy, which represents another step in our mission to provide equitable health care to all Arkansans," said Cam Patterson, M.D., MBA, the chancellor of UAMS and CEO of UAMS Health.

The HCOP Academy will be led by the UAMS Division for Diversity, Equity and Inclusion in collaboration with UAMS Regional Campuses. Other partners in the project include the UAMS College of Health Professions; the UAMS Fay W. Boozman College of Public Health; the Arkansas Rural Health Partnership, a consortium of community-based rural hospitals; and high schools, colleges and universities in the 20 counties.

The University of Arkansas at Pine Bluff (UAPB) is among the partner institutions. UAPB Chancellor Laurence B. Alexander, J.D., Ph.D., noted the program's importance for aspiring health professionals.

"Our partnership with UAMS for the HCOP Academy provides a great pathway for students from the Arkansas Delta to prepare for health care careers and join the medical workforce without leaving their home region," he said.

The program will serve the following counties: Arkansas, Ashley, Bradley, Calhoun, Chicot, Cleveland, Columbia, Crittenden, Dallas, Desha, Drew, Jefferson, Lee, Lincoln, Monroe, Ouachita, Phillips, Sevier, St. Francis and Union.

Baptist Health Medical Center-North Little Rock Opens Behavioral Health Unit

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care clinic as well as a psychiatry residency training program all right here in North Little Rock."

The unit was specifically designed to promote optimal mental and physical healing. The unit includes 22 beds, a large group therapy room, individual therapy rooms and a common area with plenty of natural light.

Future plans include offering child and adolescent psychiatry services as well as interventional psychiatry options for the immediate improvement of individuals suffering from depression.

Through innovative services, group therapy, medication and more, Baptist Health offers intensive inpatient psychiatric care for depression, anxiety, grief and psychosis, for adults between 18-65 years of age.

For more information, call the Behavioral Services Call Center at (501) 202-7006.

Baptist Health Opens UAMS Milk Bank Depots in Conway and Stuttgart

Baptist Health, in support of the University of Arkansas for Medical Sciences (UAMS) Milk Bank, has opened milk depots at two of its medical centers in Conway and Stuttgart.

The Conway Baptist Health Milk Depot and the Stuttgart Baptist Health Milk Depot are designated spaces for women to donate milk, which will be sent to the UAMS Milk Bank for screening, pasteurization and nutritional analysis. After processing, milk will be sent, according to need, to hospitals throughout Arkansas.

"At Baptist Health Medical Center-Conway, our team is proud to deliver high quality, exceptional care to our patients," said April Bennett, MSN, CHFP, RN, president of Baptist Health Medical Center-Conway. "Partnering with UAMS to support the Milk Bank will allow us to further that mission and meet the needs of our community, region and state."

Located in the Monroe Building just off UAMS' main campus in Little Rock, the UAMS Milk Bank, the first facility of its kind in Arkansas, focuses on the health of mothers and newborns in Arkansas through encouragement and support of breastfeeding. The new milk bank helps ensure a ready supply of donor milk for sick and vulnerable infants in neonatal intensive care units (NICU) around the state, shortening the time it takes for regional hospitals to receive critical milk supplies and improving outcomes for babies.

"We are very excited that UAMS Milk Bank is able to partner with our community hospitals to provide mothers who want to donate their milk with an easy access point



to deposit their pumped milk," said Misty L. Virmani, M.D., executive medical director of the UAMS Milk Bank, associate professor of pediatrics and neonatology and director of breastfeeding medicine. "Depots like these will increase community and health care provider awareness of the importance of a breastfeeding supportive community to the health of all members of the community."

Previously, Arkansas hospitals relied on donor milk purchased from milk banks in Texas, Michigan, Illinois and Oklahoma, costing more than \$1 million a year. In 2021, the Arkansas Legislature passed Act 225 establishing the creation of the milk bank and a special fund to help support the bank.

"Baptist Health is so excited to be partnering with UAMS to help provide breast milk to our Arkansas babies in need," said Amy Shultz, BSN, RNC-MNN, inpatient nurse manager at Baptist Health Medical Center-Stuttgart. "We believe that our partnership with the UAMS Milk Bank will increase community awareness of the importance of breast milk and lead to an increase in breastfeeding rates in our communities."

The Conway Baptist Health Milk Depot is located at 1555 Exchange Ave., and is open on Monday-Friday, 8 a.m.-5 p.m., and can be contacted at (501) 585-2170.

The Stuttgart Baptist Health Milk Depot is located at 1703 N. Buerkle St., and is open 24 hours a day, seven days a week, and can be contacted at (870) 674-6425.



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