

## Five Issues Affecting Vascular Surgeons' Bargaining Power: Would An Independent Vascular Board Help

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## Disclosures

Medtronic, Inc, Society for Vascular Surgery

### Background

Major trends in US healthcare have eroded surgeon autonomy and bargaining power


- Devaluation of work
- Market consolidation
- Demise of independent practice
- Administrative burdens
- Struggling workforce




- “Administrative harm”
- RVU- “Hospital bitcoin”
- “Frontal assault on reimbursements”
- Solidarity- overcoming divisive issues

### 5 Countermeasures?

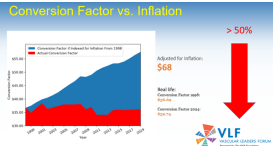
- Payment reform
- Branding and Valuation
- Market reform
- Workforce support
- Collective bargaining: Leverage?



### Payment Reform: Necessary


**Medical Economics**

News Article | November 1, 2024  
**It is just a real gut punch! – Physician in Congress discusses proposed reduction in Medicare Physician Fee Schedule**  
Author(s) Richard Payastan



**Key elements:**

- Inflation adjustment
- Release from budget neutrality
- Site of service reform?
- Economic sustainability for all practice types



## Payment Reform: Necessary...but not sufficient



- 20+ years of lost ground
- Need more than a single year “patch”
- *Less clear impact on employed surgeons*

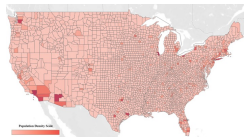
## Branding and Valuation

- What is a vascular surgeon?
- What is true value to system?
- Investment in data
- Investment in dissemination
- Leverage?



## Supporting the Workforce

- Training pipeline
  - Funding
  - Control
- Educational debt relief
- Admin/regulatory relief



## Markets: Major Trends



- Consolidation
- All entities: payers, hospitals, physicians
  - Horizontal integration
  - Vertical integration
  - Private equity role

## Market Reform? Major Attention



## Market Reform: Other Avenues

- Curb consolidation
  - Regulatory policy
  - Payment policy
- Enhance competition
  - Limit noncompetes
  - Reform CON
  - Repeal ban on POSH
- Support independent practice



## Collective Bargaining: Background



### ARC Issue Brief: Collective bargaining for physicians and physicians-in-training

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### Historically:

- Physicians predominantly independent, prevented from collective bargaining
- NLRA only covers employment, not other contracting
- NLRA definition of “supervisor” limiting
- Broad opposition to traditional union participation
- Concern about ethics of strikes

## Collective Bargaining: Changing Landscape

### National Trends: Nearly Three in Four Physicians Employed by Hospitals or Corporate Entities at the End of 2023

PERCENT OF U.S. PHYSICIANS EMPLOYED BY HOSPITALS OR CORPORATE ENTITIES IN 2019-23



24% of physicians with hospital or corporate contracts are employed by hospitals or corporate entities for the first time.

Over the five-year study period, the percentage of physicians who are employed by hospitals or corporate entities for the first time increased from 10% to 24%.

Healthcare workers vote to authorize first doctors' strike in Oregon history

Mass General Brigham doctors that Labor Day only amid first contract negotiations

Citing burnout, nearly 300 primary care doctors at Mass General Brigham take steps to unionize

The doctors comprise the vast majority of primary care physicians employed by Massachusetts General Hospital at Brigham and Women's.

- Shift to employment
- “Dominant” hospital employers
- NLRB evolution?:
  - Reexamining “supervisor”, “independent contractor”
  - Doesn't require traditional formal union- specialty staff group?
- Culture change
  - Growth of resident unions
  - Balance group/individual: Major League Baseball Players Association?

## Impact of an Independent Board?

- Payment reform
  - Inflation adjustment
  - Site of service reform
  - Broader health care reform
- Branding and Valuation
  - Visibility- Board? Branding?
  - Capture all contributors
  - Value all contributors
- Support Workforce
  - Training pipeline
  - Educational debt
  - Admin/regulatory relief
- Market reform
  - Limit consolidation
  - Support independent practice
  - Competition: Noncompetes, POSH, CON
- Collective bargaining?

← Independent Board

←

### The Pitchfork

- Legislation
- Regulation
- Litigation
- Market Solutions
- RESONANCE



## Effective Advocacy

- Target: Congress, Agencies, States
- Access: The PAC
- Identify the Problem, Bring the Solution
- Messaging: Who Will Benefit?
- Grassroots, Grasstops, and Coalitions

