

**INDIANA ACADEMY OF FAMILY PHYSICIANS
REPORT OF REFERENCE COMMITTEE B**

French Lick, IN

July 22, 2022

**THIS REPORT IS NOT POLICY AND IT WILL NOT BECOME POLICY UNTIL ACTED UPON
BY THE IAFP CONGRESS OF DELEGATES**

Mr. Speaker, your Reference Committee has considered each of the items referred to it and submits the following report. The committee's recommendations on each item will be submitted as a consent calendar and voted on in one vote. An item or items may be extracted for debate.

Recommendation: Reference Committee recommends the following consent calendar for adoption:

Item 1- Adopt RESOLUTION #22-04 entitled "Qualified Business Income (QBI) Improvements for Independent Family Physicians"

Item 2- Adopt SUBSTITUTE RESOLUTION #22-08 entitled "Equal Pay for Family Medicine Procedures"

Items 3 and 4- Adopt SUBSTITUTE RESOLUTION #22-03 entitled "IAFP Policy on Abortion"

Item 1 - Mr. Speaker, your reference committee first considered RESOLUTION 22-04 entitled "Qualified Business Income (QBI) Improvements for Independent Family Physicians", the resolved portion reading:

RESOLVED, that the American Academy of Family Physicians (AAFP) should lobby to allow noncorporate taxpayers (independent FP offices) to deduct the lesser-combined QBI taxable income over net capital gain and this should be fair, equitable, and simple with minimal compliance costs and effective government administration. Current tax code needs to remove the current difference in treatment of specified service trades or business SSTBs (primary independent medical practices are one example). This would allow us to qualify for the deduction. Current law denies the QBI deduction.

Mr. Speaker, testimony was heard. The author pointed out the complexity of the topic and the way in which he came around to writing this resolution. Independent family physicians pay higher taxes because they do not provide a product but instead a service. They are then excluded from a 20% QBI deduction. In many cases Family docs can pay up to \$10,000-15,000 more a year in taxes. The goal of this resolution is to get this issue to the AAFP so that strategies can be made and they can go to work to remove this distinction. There was testimony in support of the resolution.

RECOMMENDATION: The reference committee recommends Resolution 22-04 be ADOPTED.

Item 2 - Mr. Speaker, your reference committee next considered RESOLUTION 22-08 entitled “Equal pay for family medicine procedures”, the resolved portion reading:

RESOLVED, that the Indiana Academy of Family Physicians advocate for fair contractual reimbursement for family medicine proceduralists. And be it further,

RESOLVED, that this resolution be forwarded to the Indiana State Medical Association and the American Academy of Family Physicians (AAFP).

Mr. Speaker, testimony was heard. All testimony heard was in support of the resolution. The author noted that it is one thing to have an argument on the employer side but it is a different situation when you are providing any procedure and getting billed out the same process with a numerical differential. The second issue is that in some cases even nurse practitioners are being paid more for doing the same task. Ultimately we are advocating for equal pay for equal work. It was recommended that we consider expanding the resolution beyond procedures.

RECOMMENDATION: The reference committee recommends that the Substitute Resolution 22-08 be ADOPTED:

RESOLVED, that the Indiana Academy of Family Physicians advocate for equal pay for equal services, and be it further

RESOLVED, that this resolution be forwarded to the Indiana State Medical Association and the American Academy of Family Physicians (AAFP).

Items 3 and 4 - Mr. Speaker, your reference committee next considered RESOLUTIONS 22-03 and 22-07 entitled “Supporting Evidence-Based Abortion Healthcare” and “IAFP Policy on Abortion”, the resolved portion reading:

RESOLVED, that the Indiana Academy of Family Physicians (IAFP) oppose any legislative efforts to criminalize self-managed abortion and the criminalization of patients who access abortions as it increases patients’ medical risks and deters patients from seeking medically necessary services. And be it further

RESOLVED, that the Indiana Academy of Family Physicians (IAFP) oppose efforts to enforce criminal and civil penalties or other retaliatory efforts against providers or any requirements that physicians function as agents of law enforcement - gathering evidence for prosecution rather than providing treatment. And be it further

RESOLVED, that in the case of imposition of a state-wide abortion ban, the Indiana Academy of Family Physicians (IAFP) supports the inclusion of language in such a bill exempting dangers to maternal health or life, rape, incest, and certain fetal anomalies as determined by experts in the field.

and

RESOLVED, in an effort to be inclusive of the opinions and beliefs of all our membership, the Indiana Academy of Family Physicians will maintain a neutral opinion on the topic of abortion; and be it further

RESOLVED, the Indiana Academy of Family Physicians will continue to advocate for the support and well-being of all women and children; and be it further

RESOLVED, the Indiana Academy of Family Physicians will continue to oppose the criminalization of evidence-based healthcare and interference in the patient-physician relationship, including gathering evidence for prosecution rather than providing treatment.

Mr. Speaker, testimony was heard. Testimony was primarily in favor of the resolution. The author of Resolution 22-03 recognized the perplexity and diversity of opinions that go into this issue and respects everyones opinions. She was concerned about the intrusion into the patient-physician relationship. She noted that the proposed legislation has already seemingly accomplished the goals in the resolution in some way and removes criminalization of the physician or patient. As written, the current bill could cause physicians to face fines and jail times for not reporting as directed, and these reports could be misused and influence the way that physicians practice. There was concern that while people can make decisions about their own bodies today, proposed legislation may mean that others beyond the patient and physician have the ultimate authority. It was recommended that the committee consider that the current bill will likely be amended and this discussion should not place too much emphasis on the current legislative proposal. It was recommended that genetic abnormalities and extrauterine pregnancy should be added to the resolution.

Testimony was also heard on Resolution 22-07, and was mostly in favor. The author of the resolution noted that it was born out of an effort to be inclusive and include all opinions in an equal light. It was noted that when we make a statement as an organization we represent all of our members and in this case we have to find the things we agree on and mutually support. This is not one of those things, It was also noted that while many agree with this resolution, it is inconsistent with current Academy policy. There was strong testimony in support of a neutral position on abortion, with many expressing preference for some caveats. Many felt that these two resolutions could be combined, though some felt they were in conflict. The point was made that we not only "allow" but encourage our members to express their own opinions through outside organizations when Academy policy is not in line with their personal beliefs. There was testimony stating that despite personal beliefs, the care of our patients should be what leads us.

RECOMMENDATION: The reference committee recommends that Substitute Resolution 22-03 be ADOPTED:

RESOLVED, the Indiana Academy of Family Physicians advocates for the well-being of all women and children and supports legislation that does the same, and be it further

RESOLVED, that the Indiana Academy of Family Physicians (IAFP) oppose any legislative efforts to criminalize self-managed abortions and the criminalization of patients who access

abortions, and be it further

RESOLVED, the Indiana Academy of Family Physicians (IAFP) opposes the criminalization of evidence-based healthcare, and opposes interference in the patient-physician relationship, including gathering evidence for prosecution rather than providing treatment, and be it further

RESOLVED, in an effort to be inclusive of the diverse opinions and beliefs of all our membership, the Indiana Academy of Family Physicians adopt a neutral policy on the topic of abortion, and be it further

RESOLVED, that in the case of a state-wide abortion ban, the Indiana Academy of Family Physicians (IAFP) supports the inclusion of language with exemptions for substantial dangers to maternal health or life, rape, incest, extrauterine pregnancy, and genetic mutations or fetal anomalies incompatible with life as determined by medical experts.

Mr. Speaker, this concludes the Report of Reference Committee B. I wish to thank those who appeared before the Reference Committee to give testimony.

I would also like to thank Dr. Clif Knight, Dr. Debra McClain, Dr. Deborah Allen, and Dr Chelsea Kolodziej for serving on the committee and assisting with the preparation of this report.

Respectfully Submitted,

Jason Marker, MD, FAAFP
Reference Committee Chair