


Governor's Newsletter - June 2022

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Daniel M Goodenberger, MD, MACP, ACP Governor

Governor's Message

In the time since I began to consider my contribution to this newsletter, there have been four high-profile mass shootings, at the Tops Market in Buffalo, NY, the Robb Elementary School in Uvalde, Texas, the Warren Clinic/St. Francis hospital in Tulsa, Okla., and the Cornerstone Church in Ames, Iowa. The shooting in Tulsa targeted an orthopedic surgeon, in a building just across from the office of the Governor of the Oklahoma ACP chapter. The satiric website *The Onion* runs the same headline after every mass shooting, “‘No Way to Prevent This,’ Says Only Nation Where This Regularly Happens.” The proximity of these shootings caused them to fill their entire front page with the same headline. Sadly, these high-profile events represent a small fraction of the toll; using the definition of incidents in which four or more people were shot or killed (excluding the shooter), there have been more than 200 mass shootings thus far in 2022, (1) including 27 at schools.(2)

The College has a policy on reduction of firearms injury and death, articulated in 2014 (3) and updated in 2018.(4) Previous calls for action have not had meaningful legislative results.(5)

Most readers will be familiar with the relationship between gun ownership, gun regulations and firearm violence. The US has the highest rate of firearm suicides in the world and far more gun-related murders than other countries with high socio-democratic indices scores (fig. 1)

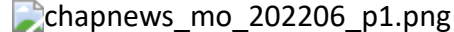
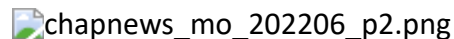


Fig 1. Gun Murder Rates in Developed Countries

The 10 states with the strongest gun laws constitute 7 of the 10 states with the lowest gun death rates (Table 1).



The reverse is generally true as well, with weaker gun laws correlating with higher gun murder rates.

The laws vary, but generally include:

1. Requiring background checks and permits to purchase handguns
2. Requiring a permit to carry concealed guns in public
3. So-called red flag laws, which allow for court orders removing guns from those who pose a serious threat to themselves or others
4. Requiring secure storage of firearms; and
5. Rejecting stand your ground laws.

Repeated experience suggests that the current approach, expecting a useful approach at the federal level based on logic and expert opinion, will not be effective. Instead, I think there are lessons to be learned from the history of regulation of auto safety.

Automobile travel has become dramatically safer over the last century (Fig. 2).

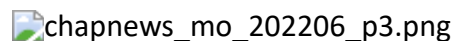


Fig. 2. Auto deaths per billions of miles traveled.

The reduction in fatalities relative to total population has also been substantial, with a temporal relationship to specific safety measures mandated at the state and federal level (Fig. 3). In 1966, Congress authorized the federal government to set safety standards for new cars with the results shown below.

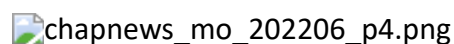


Fig. 3. Reduction in motor vehicle deaths relative to population

The time frame for auto safety enhancements, even in the absence of a constitutional guarantee of the right to drive, suggests that the time frame for progress in gun safety legislation will be long and that patient, sustained action will be required. Although it is not the purpose of this essay to debate the pros and cons of the second amendment, it is worth noting that, in *Heller*, the Supreme Court opinion's author, the noted originalist Antonin Scalia, did not assert that gun rights were absolute and immune from regulation. He wrote "Like most rights, the right secured by the Second Amendment is not unlimited. [It is] not a right to keep and carry any weapon

whatsoever and for whatever purpose.” It listed examples of laws that would be considered “presumptively lawful”, including:

- Prohibition of firearm possession by dangerous people.
- Forbidding firearm possession in sensitive places like schools and government buildings.
- Imposing conditions on the commercial sale of firearms.

Multiple lawsuits have upheld the constitutionality of this kind of regulation. It is this upon which the following discussion is based.

Parallels and lessons –

1. Early on, the auto industry believed that most bad outcomes were driver related. Later they resisted needed improvements for a variety of reasons, most related to sales and profits. Prominent examples include resistance to seat belts, the Pinto fuel system problems and the associated cost-benefit memo, and the resistance to incorporating road-safety improvements in general and the Corvair in particular, as outlined in Ralph Nader's *“Unsafe at Any Speed.”*(6) In fact, the automotive industry as a whole fought many of the improvements to vehicle safety, from when seat belts were first made mandatory in 1968 to the airbag requirement of 1991 (effected in 1998). The federal government through the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) played a major role in bringing about these changes.
2. Similarly, the firearms industry and its lobbyist, the National Rifle Association, have focused on the human actors while denying any contribution of the number or kinds of guns in private hands, or the ease of obtaining them. Common slogans include “Guns don't kill people, PEOPLE kill people” and “The only thing that stops a bad guy with a gun, is a good guy with a gun.” They have been obdurate regarding regulation or restrictions in the ownership or possession of firearms. The relevant federal agency, the Bureau of Alcohol, Tobacco, and Firearms (ATF), is primarily regulatory as opposed to safety oriented.

Automobile safety increased with the adoption and or mandate for auto standards

- Safety glass
- Seat belts and shoulder harnesses with click it or ticket enforcement
- Air bags
- Padded dashes

Corollaries with firearms include trigger locks and the now-feasible biometric systems limiting use to a single individual (“smart guns”).

Certain vehicles and categories of vehicles were banned based on safety and quality of life issues. They include the following high-performance vehicles:

Lamborghini Sesto Elemento
Lamborghini Strosek Diablo
TVR Tuscan
TVR Sagaris
Lotus Elise Series 1

Morgan Le Mans '62 Prototype

Jaguar XJ220-S

Nissan Skyline R34 GT-R

Audi RS2 Avant

Alfa Romeo 8C Spider Roadster

In addition, multiple domestic race cars are not street-legal, including top fuel dragsters.

The analogy would be for a ban or restriction on certain categories of weapons or accessories, i.e., extended capacity magazines. There is an example of such a law at the federal level, the Gun Control Act of 1968, which was enacted to cure a constitutional flaw in the National Firearms Act of 1934. These laws banned machine guns, sawed-off shotguns, and silencers, among others. The origin of the 1934 act was in part aimed at the use of these weapons in highly publicized criminal acts, with some relevance to the current situation.

Licensure for automobile drivers – spurred by safety concerns – was slow to come

- First car manufactured – 1886
- First driver's license – 1903 (Massachusetts and Missouri)
- First exam to obtain license – 1908 (Rhode Island)
- First age restriction (18) – 1909 (Pennsylvania)
- Last state to require driver's exam for licensure – 1959 (South Dakota)

Likewise, licensure for guns at the state or DC level is a patchwork. There is no federal firearm licensure. The number of state (and/or DC) jurisdictions enacting licensure are as follows:

- Gun registration – 10 (5 of 10 for handgun only)
- Required permit to purchase a gun – 9
- Required license to own a gun– needed for duration of ownership – 3 (Illinois, Massachusetts, and New York)
- Required permit for concealed carry – 29. There has been a recent flurry of concealed carry permit repeal
- Restriction or ban on assault weapon– 8 (federal ban of 1994 following Stockton massacre expired in 2004)

Education for licensure has become the norm for driving.

- Teen drivers are three times more likely to be in a fatal crash than one older than 20. Over time, driver's education requirements for licensure for teenage drivers increased to include 32 states. Financial incentives have been useful – a discount of between 5% and 20% for completing a driver's ed course is common, often larger for teen drivers than for experienced drivers.
- At present, only two states require training for firearm purchase – California and Washington.

Research helped drive auto safety improvements.

- In auto safety, crash testing with dummies helped demonstrate the value of 3-point restraints. Funding came from both the NHTSA and the Insurance Institute for Highway Safety (IIHS). Public opinion about seat belt use became much more favorable and use increased from

roughly 20% to 70% following a television and radio marketing campaign by the NHTSA.

- The prohibition on federal gun violence research funding created by the Dickey amendment in 1996 ended in 2018. However, total federal funding is \$25 million annually, which represents a tiny fraction of the current NIH budget of \$62.5 billion. Similarly, private and industry funding is also small. The National Collaborative on Gun Violence reports a total of \$21 million total, with \$950,000 in grants last year, largely from private philanthropy. Three prominent gun safety organizations, Giffords, Everytown for Gun Safety, and Brady all support research but are not funding entities. There is no affected industry funding similar to IIHS (in this case, health care).

A combination of grass-roots advocacy was important in auto safety.

- Nader's expose and Pinto-related litigation and were influential in the creation of federal legislation and changes in industry practices. The advocacy of Mothers Against Drunk Driving was crucial in the passage of the National Minimum Drinking Age Act, which raised the minimum age for purchase or possession of alcohol to 21. Instructively, the incentive for state participation was financial; those states not participating saw a 10% loss of federal highway dollars. Later it was successful in reduction of the legal limit for blood alcohol from 0.10 to 0.08. Partly as a result, most states may impose the installation of ignition interlock breath analyzer devices to prevent operation of a vehicle by an intoxicated person. The combination of MADD campaigns, drunk driving laws, police enforcement, and public information campaigns resulted in a significant decrease in alcohol-related traffic accidents and fatalities.
- In the firearms violence prevention advocacy arena, the most visible organizations are those founded in response to specific shootings - the Giffords Courage to fight Gun Violence (Gabby Giffords), Brady: United against Gun Violence (James Brady); and Moms Demand Action (Sandy Hook). Of the three, only Brady has had a significant impact, with the Brady Act that mandated federal background checks on firearm purchasers in the United States, and imposed a five-day waiting period on purchases, until the National Instant Criminal Background Check System (NICS) was implemented in 1998. Others include the Coalition to Stop Gun Violence and its educational affiliate, the Educational Fund to Stop Gun Violence, as well as the aforementioned entities in #6.
- Summary and recommendations (these recommendations are not to be construed as representing policy positions of the American College of Physicians but are a statement of opinion originating solely with the author).

1. Physician organizations, including the College, should partner to develop a strategic long-term plan for firearm violence reduction. Natural allies could include the American Academy of Pediatrics, the American College of Surgeons, and the American College of Emergency Physicians.

2. Such a coalition should engage with the advocacy and research groups to develop and coordinate public relations and legislative lobbying campaigns.

3. As research findings were important in driving automotive safety, additional funding from the NIH, CDC, and private philanthropy should be

sought.

4. Make red flag laws a priority. As conservative leaders focus on mental illness, there is ground for common cause. Note that Governor DeSantis in Florida supported that state's law.

5. Accept that major federal initiatives are unlikely with the current Congress and its likely successor. Identify the next tier of states that have the possibility of improving gun laws and spend time and treasure there. Focus on the basic laws that characterize low gun violence states (vide supra). Over time, it is likely that the outcomes, highlighted by funded research, will be increasingly persuasive.

6. Enlist and win over gun-owning and -using physicians and other professionals in crafting advocacy and put them front and center when interacting with legislators and the public. There are likely more than you realize. There are many hunters who nevertheless will support the ban of assault weapons and extended magazines, universal background checks, required background checks for private sales, including gun shows, and firearm training.

7. Remember that the successful drive for motor vehicle safety took decades, and plan accordingly.

Sincerely,

Daniel Goodenberger, MD, MACP

Governor, Missouri ACP

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Save the Dates for the Upcoming Fall Meetings

Missouri Hospitalist Day – September 15, 2022

Missouri ACP Annual Scientific Meeting – September 15-18, 2022

Both events will be held at the St. Louis Union Station Hotel in St. Louis this year. The online registration and agendas will be available very soon, but it's not too early to make your hotel reservations. We have negotiated a discounted rate at this beautiful property for \$149/night. You can [go online to book a room](#), or call 314-231-1234, and provide them the code MOA. If you aren't familiar with the Hotel, you will want [to go online to see all the food and entertainment options available on property!](#)

Missouri ACP Introduces DoctorCorp

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We are blessed to have so many distinguished physicians in our Missouri ACP membership. To recognize and celebrate these individuals, we have developed a video series we are calling DoctorCorps.

DoctorCorps is a series of interviews with distinguished Missouri internists. Interviewees have been selected with an eye towards distinction in medical practice, research, and education, as well as contributions both to the medical community and their communities at large.

The interviews also focus on their perspectives on changes in medical practice and education over the last 60 years, to preserve something of the evolution and ambience that may otherwise be lost with the passing of this generation.

The first video in the series features Richard Aach, MD, FACP, and is [available online for viewing](#). Additional videos will be posted every 3 weeks, but you can preview the [video line up here](#).

Missouri ACP Members Attend Leadership Day 2022 in Washington, DC


Each year, Missouri ACP sponsors attendees to the ACP Leadership Day in Washington, DC. This year we sponsored six attendees. We appreciate those who applied for this sponsorship opportunity and know they learned so much while attending Leadership Day. The sponsored attendees were:


Nabeel Badar – Medical student
John Janowski, MD – Resident attendee
Vinay Kamat, MD, FACP – Physician attendee
Shilpa Peddy, MD, MPH – Resident attendee


Missouri's Advocacy Day


On a local level, we had several Missouri ACP members participate in the Missouri ACP Advocacy Day that was held in early April. Members met at the Capitol Plaza Hotel to be briefed on the legislative priorities, then headed to the Capitol for meetings with their elected Senate and House members. The priorities this year included Hospital Visitation requirements; Childhood Immunizations; Maternal Mortality and Morbidity and Funding Medicaid Expansion.

Thank you to all who came out, it was a great day for this important event!

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Missouri ACP Wins Two John Tooker Evergreen Awards

The spring ACP Board of Governor's (BOG) Meeting was held prior to the IM22 Meeting in Chicago. At the BOG Awards Luncheon, Missouri ACP was presented with two John Tooker Evergreen Award for programs our chapter developed and implemented in 2020-21.

The first award was for the Career Paths in IM video series that was developed for students, residents, fellows and early career physicians. The series features 13 Missouri ACP members in various roles through IM and its subspecialties. [The videos are all available for you to view from the Missouri ACP website](#), and have received nearly 400 views as of today. Check them out for tips on career paths, advice on work-life balance, salary negotiations, and just to find out more about the areas of IM.


The second award was for the “Membership Engagement Using Social Media.” The chapter wanted to ensure we were having touchpoints during the pandemic since we weren't meeting in person, so a plan was developed across several committees to engage our members with our social media channels, emails and other outreach efforts.


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Pics from IM22 Missouri Reception

Missouri ACP members gathered for a reception during the IM22 Meeting in Chicago. It was great to see many of our members and to have time for everybody to catch up. Thank you to those who attended, and we hope to see you at IM23, April 27-29, 2023, in San Diego!

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IPR Update

The Missouri ACP leadership and membership committee joined forces with the University of Central Missouri's Interactive Public Relations program to look at the current membership numbers, identify the resources used most frequently by members, and develop a student membership campaign. In the review process, we discovered that our student membership dropped during the pandemic, and we recognize that students are the future of our profession and organization. For this reason, we decided to pursue a student membership campaign to help raise awareness of Missouri ACP to medical students with an interest in IM. We will be working closely with the IMIGs at each school and our student leaders on these efforts.

We appreciate those who took time to complete our membership survey that was distributed in April. Those results will be used to provide more information on the resources our members find most valuable, and to increase awareness of the programs that our members might need more information about. Those who completed the survey were put into a drawing for an Amazon Gift Card, and the winners of the gift cards are:

- Michelle Brother, MD
 - Sabina Morga, MD
 - Sean Villaflores, MD
 - Allison Goldstein
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