

## James L. Holly, M.D.

### Letters - Dr. Ken Shine's Response After Reading Dr. Holly's Testimony to Texas Department Insurance (TDI) Commissioner Public Hearing Concerning Physician Compensation, September 28, 1998

From: Shine, Kenneth  
Sent: Thursday, June 25, 2015 1:01 PM  
To: James L. Holly  
Subject: Re: A 17 year old SETMA document which has great relevance today  
"Truly prescient!! Congratulations! Ken"

---

#### [Presentation to the TDI, September 24, 1998](#)

This link is to the testimony I delivered to the Texas Department of Insurance Commissioner, 17 years ago. I am personally amazed at how this is as valid today as it was 17 years ago. There are a few factual differences but essentially SETMA has fulfilled the promise which this presentation made to the Commissioner.

1. Our use of the EMR began four months after this hearing and our practice of electronic patient management became more robust but the roots of all that we do are there.
2. We have since embraced the patient-centered medical home but we were still eight months away from (see <http://www.jameslhollymd.com/your-life-your-health/may-1999-four-seminal-events-in-setmas-history>) the four-seminal events which defined our future and from the defining of the ten principles which guided us to where we are, but the roots are there.
3. [Our accreditations, recognitions and awards](#) were in our future but the roots of all of that are there.

This is a valuable historical document for SETMA. It still has value to us and hopefully to you.

#### **This is the description of the September 28, 1998 events at the TDI Public Hearings**

In September, 1998, the Texas Insurance Commissioner held a public hearing on physician compensation. I called to get information about this because I had never testified before. After getting the information, I asked the Commissioner's office if they would put my name on the list to testify. They said that it was first come first served and then added, "But, you have been so nice, we're going to put you first."

I had written out my comments word for word, as each speaker had ten minutes. On the day of the hearing, the commissioner announced that we would only have five minutes to speak. I

quickly marked through parts of my address (see attached) to meet his time restraints and at the beginning of my testimony, I handed the Commissioner a copy of my full remarks. I spoke for 4:58 seconds. At the end of my comments, the Commissioner began asking me questions. He asked me questions for one hour.

As I have read this document, it reminds me of our roots and of events from 17 years ago which have come to fruition in SETMA.

Larry Holly, MD

James (Larry) Holly, M.D.

C.E.O. SETMA\_

[www.jameslhollymd.com](http://www.jameslhollymd.com)

Adjunct Professor

Family & Community Medicine

University of Texas Health Science Center

San Antonio School of Medicine

Clinical Associate Professor

Department of Internal Medicine

School of Medicine

Texas A&M Health Science Center

## **Learning How to Participate in the Public Policy Hearing Process**

The group which gathered for the September 28, 1998, Insurance Commission's hearing was large. After my testimony, the Commissioner listened politely but did not interact with other speakers. After the lunch break, his impatience grew. After 3 PM, the last witness was called.

He was a physician with whom I was acquainted. He walked up to the speaker's podium, leaned against it and said, "I started to prepare a statement like Dr. Holly, but thought I would just let you ask me questions." The Commissioner's response was devastating. He looked at the doctor and said... nothing. After several minutes of silence, the doctor sat down. The Commissioner dismissed the meeting.

Several years ago, another physician went to Austin to testify in a hearing. At the witness table, he was asked, "You must treat many patients with this condition?" The doctor responded, "No." "You must have done research on this condition?" The doctor responded, "No." The chairman of the committee said, "We have no questions; you are excused." From these experiences, I learned the following principles.

Principles for offering testimony on public policy in public hearings:

1. Be prepared
2. Have a prepared, written statement to present to the committee
3. Don't present yourself to offer opinion, but to offer expert knowledge from experience