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COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF HEALTH

F I N A L M I N U T E S

MEETING OF:

PATIENT SAFETY AUTHORITY

TIME: 9:43 A.M.

HARRISBURG AREA COMMUNITY COLLEGE
WILDWOOD CONFERENCE CENTER

ONE HACC DRIVE
HARRISBURG, PENNSYLVANIA

NOVEMBER 18, 2002

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Patient Safety Authority

November 18, 2002

Board Members:

- Robert S. Muscalus, D.O., Chairperson, Pennsylvania
Physician General
- Joan M. Garzarelli, MSN - Absent
- Patricia Clancy Kienle, R.Ph.
- Lorina L. Marshall-Blake
- Danae Powers, M.D.
- Stanton N. Smullens, M.D.
- Nathan J. Zuckerman, M.D. - Absent
- Cliff Rieders, Esquire
- Howard F. Messer, Esquire - Absent
- S. Marc Land, Esquire
- The Hon. Mary Ann Dailey
- Sallie Rodgers, Esquire, Board Counsel
- Alan Rabinowitz, Administrator

Also Present:

- Bridget L. Racis, Office of the Physician General
- John J. Contino, Executive Director, State Ethics
Commission

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Patient Safety Authority

3

Meeting of November 18, 2002

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5

The regularly scheduled meeting of the Patient

6

Safety Authority was held on Monday, November 18,

7

2002. The meeting was called to order at 9:43 a.m. by

8

Robert S. Muscalus, D.O, Chairperson.

9

10

Approval of Minutes of the September 10, 2002 meeting

11

DR. SMULLENS:

12

I move to approve the minutes of the

13

September 10, 2002, meeting.

14

DR. RIEDERS:

15

Second.

16

DR. MUSCALUS:

17

Any discussion? All those in favor say aye.

18

Opposed?

19

[The motion carried unanimously.]

20

21

Appointment

22

[John J. Contino, Executive Director, State Ethics

23

Commission, met with the Board at 9:44 a.m. for the

York Stenographic Services, Inc.

34 North George St., York, PA 17401 - (717) 854-0077

1 purpose of providing an overview of the functions of
2 the State Ethics Commission and how it will apply to
3 he members of the Patient Safety Authority.]

4 ***

5 [The Honorable Mary Ann Dailey entered the meeting at
6 9:48 a.m. and Lorina L. Marshall-Blake entered the
7 meeting at 9:52 a.m.]

8 ***

9 [Mr. Contino continued with his overview of the
10 functions and purpose of the State Ethics Commission.
11 He noted that the Board should feel free to contact
12 the Commission with any additional questions it may
13 have, which will be handled by members of the
14 Commission staff or the Legal Department. He also
15 encouraged the Board to access the Commission's web
16 page that provides past advisory opinions and
17 adjudications on various matters.]

18 ***

19 [Recess from 10:35 a.m. to 10:45 a.m.]

20 ***

21 [Alan Rabinowitz, Administrator was introduced and
22 welcomed by the Board.]

23 ***

1 Report of Board Chair

2 [Robert S. Muscalus, D.O. addressed the Board at 10:55
3 a.m. to note he is pleased with the progress that has
4 been made to date which includes the following: The
5 Patient Safety Authority has been formally placed
6 within the Department of State, an Administrator has
7 been hired, temporary office space has been identified
8 with the anticipation that permanent office space will
9 be forthcoming in the near future. He concluded his
10 report to note he has not yet had an opportunity to
11 speak with the new Administration's "transition team"
12 concerning where PSA has been, where it's at and where
13 it needs to go.]

14 ***

15 Report of Board Counsel

16 [Alan Rabinowitz, Administrator addressed the Board at
17 10:59 a.m. to commend the Board for all the work it
18 has accomplished in a short period of time. He next
19 reviewed what the Letter of Intent to the Department
20 of State encompasses, noting that it is in effect
21 unless either the PSA or the Department of State
22 chooses to terminate it. Mr. Rabinowitz reported
23 that office space has been identified in the old Forum

1 Building, and although it needs some cosmetic work he
2 anticipates it will be completed "within the next
3 couple of weeks." He next reported that the
4 Department of Health published notice in the
5 Pennsylvania Bulletin of assessments to
6 the three entities subject to PSA's reporting, i.e.,
7 hospitals, birthing centers and ambulatory surgical
8 facilities, which amounts to a contribution rate of
9 \$105.87 per licensed hospital bed, \$105.87 per
10 surgical room for ASF's and \$105.87 per birthing room
11 for birthing centers. He noted that the Department of
12 Health has 30 days following receipt of the funds to
13 complete a transfer into PSA's account.]

14

15 [Dr. Muscalus expressed his appreciation and thanks
16 for all the help and hard work extended by Sallie
17 Rodgers, Esquire. Ms. Rogers expressed the pleasure
18 she has had in working with PSA, noting it has been an
19 "eye-opening" experience which she has enjoyed.]

20

21 [Pursuant to Section 708(a)(5) of the Sunshine Act,
22 the Board entered into executive session with Alan
23 Rabinowitz, Administrator, at 11:10 a.m. for the

1 purpose of conducting quasi-judicial deliberations.

2 Following a luncheon recess from 11:45 a.m. until

3 12:30 p.m., the Board returned to open session.]

4

5 RFP Update

6 [Robert S. Muscalus, D.O. addressed the Board at 12:45

7 p.m. to provide an update concerning the RFP process.

8 He noted that although he is not ruling out his

9 original desire to have an RFP out by the end of the

10 year it is his belief it is "very aggressive."

11 Alan Rabinowitz, Administrator addressed the Board at

12 12:51 p.m. to report that an invitation to qualify

13 list (ITQ) has been reviewed with ten potential RFP

14 writers/vendors being identified to date. He advised

15 the Board that a work statement has been prepared and

16 will be sent out "within a week or so" to the ten

17 identified vendors. He concluded to note that the

18 writing vendor will be given four weeks to produce a

19 written first draft of the RFP that will thereafter be

20 reviewed by the Board to see how it "matches up with

21 what its expectations are." Dr. Muscalus addressed

22 the Board to note that once the vendor has been

23 identified the next important step will be to get as

York Stenographic Services, Inc.

34 North George St., York, PA 17401 - (717) 854-0077

1 much dialogue as possible from the subcommittee and
2 various other entities, i.e., medical societies and
3 hospitals, to begin outlining the components and
4 specific content of the RFP.]

5 ***

6 Election of Officers

7 [Dr. Muscalus provided the Board members with ballots
8 for the purpose of electing a Vice-Chairman and
9 Secretary/Treasurer.]

10 ***

11 Review of Letter Submitted by Mr. Rieders

12 [The Board was provided with correspondence that was
13 forwarded to Cliff Rieders, Esquire concerning the
14 role of PSA.]

15 ***

16 [Dr. Muscalus reported that during the RFP process the
17 Board will explore development of its website and how
18 it will ultimately be used. He noted that it is his
19 hope to begin the data collection process via a pilot
20 program for a period of months that will incorporate
21 feedback from large tertiary centers, small community
22 hospitals, birthing centers and ambulatory surgical
23 facilities to find out how what is and is not

1 working.]

2 ***

3 Election of Officers (Cont'd)

4 [Alan Rabinowitz, Administrator announced the results
5 of the election of officers at 12:56 p.m. to report
6 that Stanton N. Smullens, M.D. has been elected to
7 serve as Vice-Chairman and Nathan J. Zuckerman, M.D.
8 has been elected to serve as Secretary/Treasurer.]

9 ***

10 Miscellaneous

11 [Cliff Rieders, Esquire addressed the Board at 12:57
12 p.m. to voice his concern over input "from the
13 industry" in selecting and supervising the RFP
14 process. He noted it is his preference that PSA does
15 it work as "independently as possible except where it
16 needs information." Dr. Muscalus noted that his
17 interest for involving various hospitals and physician
18 groups is to gather comments that PSA is not "thinking
19 about or that it hasn't envisioned due to the fact
20 that it is not actively using various processes." He
21 further expressed it is his belief doing so sends a
22 strong message that while PSA is independent and
23 cannot be influenced it is open to gather input, use

1 the information in an objective way and in an
2 independent way draw conclusions and make decisions.
3 The Board selected the following future meeting dates:
4 December 9, 2002, January 13, 2003 and February 10,
5 2003.]

6 ***

7 Adjournment

8 MS. MARSHALL-BLAKE:

9 I move to adjourn.

10 ***

11 [The meeting was adjourned at 1:03 p.m.]

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Tim Wagner,
Minute Clerk,
York Stenographic Services

York Stenographic Services, Inc.
34 North George St., York, PA 17401 - (717) 854-0077

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	PATIENT SAFETY AUTHORITY		
	REFERENCE INDEX		
	NOVEMBER 18, 2002		
		COUNTER	
	TIME	NUMBER	AGENDA
1			
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6			
7			
8	9:43	0032	Call to Order, Robert S. Muscalus,
9			D.O., Chairman
10			
11	9:44	0055	Approval of Minutes of the
12			September 10, 2002, meeting
13			
14	9:45	0101	Appointment - John J. Contino,
15			Executive Director, State Ethics
16			Commission
17			
18	10:38 to 10:55		Recess
19			
20	10:55	3634	Report of Board Chair, Robert S.
21			Muscalus, D.O.
22			
23	10:59	3850	Report of Board Administrator,
24			Alan Rabinowitz, Administrator
25			
26	11:10		Executive Session
27	11:45 to 12:30		Luncheon Recess
28	12:43		Return to Open Session
29			
30	12:45	4895	RFP Process
31			
32	12:51	5500	Election of Officers
33			
34	12:53	5699	Review of Letter Submitted by Mr.
35			Rieders
36			
37	12:56	6000	Election of Officers (Cont'd)
38			
39	12:57	6048	Miscellaneous
40			
41	1:03		Adjournment
42			