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COMMONWEALTH OF PENNSYLVANIA

PATIENT SAFETY AUTHORITY

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

MEETING OF:

**PATIENT SAFETY AUTHORITY**

APRIL 14, 2003

TIME: 9:30 A.M.

HARRISBURG AREA COMMUNITY COLLEGE  
WILDWOOD CONFERENCE CENTER

ONE HACC DRIVE  
HARRISBURG, PENNSYLVANIA



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Patient Safety Authority

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Meeting of April 14, 2003

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Report of Board Chairman

[Robert S. Muscalus, D.O. introduced Peter Hoffman,

York Stenographic Services, Inc.

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

1 Esquire, who was recommended and appointed by the  
2 Governor's Office to serve as the Board's Counsel.  
3 Mr. Hoffman provided the Board with a brief overview  
4 of his background and experience. Dr. Muscalus noted  
5 there has been "a great deal" of activity regarding  
6 the Authority in a variety of arenas, i.e., through  
7 legislative testimony and in newspaper articles. He  
8 noted that he welcomes the various questions that have  
9 been posed concerning the Authority because it gives  
10 the Board an opportunity to inform the General  
11 Assembly and the press about the Authority's  
12 activities in detail and it also lets the public  
13 become aware of the Authority. Dr. Muscalus concluded  
14 his report to note that through much hard work the RFP  
15 is close to being finalized with the ultimate goal of  
16 beginning to collect data by the fall of 2003.]

17 \*\*\*

18 Report of Board Administrator

19 [Alan Rabinowitz addressed the Board at 9:42 a.m. He  
20 expressed appreciation for the hard work of the Board,  
21 Computer Aid, Inc. (CAI) and Erin Verano in moving  
22 through the complex RFP process very quickly. He  
23 noted that the RFP will be released "very soon" and he

1 reminded the Board not to discuss specifics related to  
2 the RFP between now and the final selection. Mr.  
3 Rabinowitz also reported that the Board's website is  
4 up and running and he welcomed feedback/suggestions on  
5 ways to improve the website. He also noted that  
6 several of the Board members delivered testimony at  
7 legislative or other public hearings. Feedback  
8 included several suggestions, one of which is to  
9 notify all reporting entities about what the Patient  
10 Safety Authority is doing and where it will be going  
11 over the next several months. Mr. Rabinowitz will  
12 prepare a mailing to all hospitals, birthing centers  
13 and ambulatory surgical centers. Mr. Rabinowitz then  
14 reminded the Board that the deadline for submission of  
15 the Ethics Commission form and the paperwork for the  
16 Governor's Code of Conduct is May 1, 2003. He next  
17 directed the Board's attention to the annual report  
18 that the Authority is required to submit to both the  
19 General Assembly and Department of Health by Act 13.  
20 There was brief discussion about the report's  
21 contents. Mr. Rabinowitz concluded his report to note  
22 that there is a 90 percent chance that the May meeting  
23 will be cancelled due to the fact that the RFP is

1 likely "to be in the works."]

2 \*\*\*

3 [Dr. Muscalus noted that the anticipated release date  
4 of the RFP is "imminent". Mr. Rabinowitz reported  
5 that notice was published on the DGS website and in  
6 the PA Bulletin and that the RFP would be available  
7 electronically. Erin Verano, Esquire noted that  
8 anyone who would like a copy of the RFP should get it  
9 through the procurement office in the Department of  
10 State. She advised the Board that, if the RFP is  
11 accessible on its website, there should be a  
12 disclaimer notifying vendors that getting the RFP off  
13 the website will not guarantee that they are on the  
14 mailing list to receive RFP updates or additional  
15 information.]

16 \*\*\*

17 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
18 the Board entered into executive session with Peter  
19 Hoffman, Esquire at 9:57 a.m. for the purpose of  
20 discussing personnel issues. The Board returned to  
21 open session at 10:23 a.m.]

22 DR. MUSCALUS:

23 The Board had met in executive session to discuss an

1 employee/personnel matter. Is there a motion to be  
2 made regarding adopting a position statement?

3 [There was brief discussion on adopting a resolution  
4 related to the status of Authority personnel.]

5 MR. RIEDERS:

6 This is a motion concerning our employees and their  
7 status: Employees of the Patient Safety Authority  
8 shall comply with all Commonwealth personnel  
9 regulations, consistent with those governing employees  
10 working in executive agencies under the Governor's  
11 jurisdiction, and Patient Safety Authority employees  
12 shall receive all benefits and other entitlements,  
13 including but not limited to benefits under the  
14 Pennsylvania State's Employees' Retirement System,  
15 which are regularly provided for employees working in  
16 executive agencies under the Governor's jurisdiction.

17 MS. MARSHALL-BLAKE:

18 Second.

19 DR. MUSCALUS:

20 Any discussion? All those in favor please indicate so  
21 by saying aye. Opposed?

22 [The motion for the resolution carried unanimously.]

23

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1 New Business

2 [Alan Rabinowitz addressed the Board at 10:25 a.m. to  
3 report that approximately \$4.7 million has been  
4 collected by the Department of Health from hospitals,  
5 birthing centers and ambulatory surgical facilities  
6 and thereafter transferred to the Patient Safety Trust  
7 Fund, with the Authority's expenditures to date being  
8 \$201,000. Mr. Rabinowitz also discussed the need to  
9 recommend to the Department of Health the assessment  
10 for Fiscal Year 2003-2004. Dr. Muscalus noted that  
11 the Authority will be in a better position to  
12 anticipate budget needs next year, after having  
13 received bids and entered into a contract. At that  
14 time the Board will be able to better project what the  
15 Authority's expenses will be and thereafter determine  
16 what the assessment should be.]

17 MR. RIEDERS:

18 I make a motion to assess for fiscal year 2003-2004  
19 the maximum allowable under Section 305(c) of the Act  
20 which is not to exceed \$5 million.

21 MS. MARSHALL-BLAKE:

22 Second.

23 DR. MUSCALUS:

1 Any discussion?

2 [Discussion was held on the motion.]

3 DR. MUSCALUS:

4 All those in favor please indicate by saying aye.

5 Opposed?

6 [The motion carried with four members voting in favor  
7 and three members voting in opposition to the motion.]

8 \*\*\*

9 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
10 the Board entered into executive session with Peter  
11 Hoffman, Esquire at 10:54 a.m. for the purpose of  
12 conducting confidential deliberations.]

13 \*\*\*

14 [The Board returned to open session at 4:05 PM. Dr.  
15 Powers made a motion to adjourn at 4:06 PM. Ms.  
16 Marshall-Blake seconded the motion.]

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18 Adjournment

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Tim Wagner,  
Minute Clerk,  
York Stenographic Services

1			PATIENT SAFETY AUTHORITY
2			REFERENCE INDEX
3			APRIL 14, 2003
4			
5		COUNTER	
6	TIME	NUMBER	AGENDA
7			
8	9:37	0046	Call to Order, Robert S. Muscalus,
9			D.O., Chairman
10			
11	9:37	0092	Approval of Minutes of the
12			February 10, 2003, meeting
13			
14	9:38	0168	Report of Board Chairman, Robert
15			S. Muscalus, D.O.
16			
17	9:42	0400	Report of Board Administrator,
18			Alan B. K. Rabinowitz
19			
20	9:57		Executive Session
21	10:23		Return to Open Session
22			
23	10:23	1318	Motion
24			
25	10:24	1590	New Business
26			
27	10:54		Executive Session
28	4:05		Return to Open Session
29			
30	4:06		Adjournment