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

MEETING OF:

**PATIENT SAFETY AUTHORITY**

MAY 7, 2003

TIME: 5:03 P.M.

NORTH OFFICE BUILDING  
HEARING ROOM #3

HARRISBURG, PENNSYLVANIA

1 Patient Safety Authority

2 May 7, 2003

3

4 Board Members:

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6 Robert S. Muscalus, D.O., Chairperson, Pennsylvania  
7 Physician General

8 Joan M. Garzarelli, MSN

9 Patricia Clancy Kienle, R.Ph.

10 Lorina L. Marshall-Blake

11 Danae Powers, M.D.

12 Stanton N. Smullens, M.D.

13 Nathaniel J. Zuckerman, M.D. - Absent

14 Cliff Rieders, Esquire

15 Howard F. Messer, Esquire - Absent

16 Anita Fuhrman, R.N. - Absent

17 The Hon. Mary Ann Dailey

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20 Authority Personnel:

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22 Alan B. K. Rabinowitz, Administrator

23 Peter Hoffman, Esquire

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Patient Safety Authority

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May 7, 2003

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The regularly scheduled meeting of the Patient Safety Authority was held on Wednesday, May 7, 2003. Robert Muscalus, D.O., Chairman, called the meeting to order at 5:03 p.m.

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Approval of Minutes of the April 14, 2003, meeting

DR. SMULLENS:

I move to adopt the minutes of the April 14, 2003, meeting.

MS. MARSHALL-BLAKE:

Second.

DR. MUSCALUS:

All in favor indicate by saying aye.

Opposed?

[The motion carried unanimously.]

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Report of Board Administrator

[Alan B.K. Rabinowitz addressed the Board at 5:05 p.m.

to report that the RFP was released, as scheduled, on

1 April 23, 2003, and that quite a lot of interest has  
2 been shown which has resulted in a lot of questions  
3 being submitted by the June 5, 2003, deadline. He  
4 also noted that a pre-proposal conference will be held  
5 on Monday, May 12, 2003, for the purpose of laying out  
6 what the Authority is looking for in the RFP. At that  
7 time, those in attendance can submit additional  
8 questions. Written answers will be prepared for all  
9 questions and copies of the questions and answers will  
10 be sent to all people who received the RFP. Mr.  
11 Rabinowitz concluded by noting that the annual report  
12 was submitted to the General Assembly and Secretary of  
13 Health, and it has been posted on the website. In  
14 addition 350 personalized letters are being mailed to  
15 all facilities subject to Act 13 providing them with a  
16 status report of the Authority's activity.]

17 \*\*\*

18 Report of Board Chair

19 [Dr. Muscalus addressed the Board at 5:07 p.m. to  
20 report he had the opportunity to speak at the state  
21 osteopathic conference in Philadelphia concerning the  
22 role of the Patient Safety Authority. He noted it is  
23 his sense that there is additional work that needs to

1 be done towards informing physicians of the reporting  
2 requirements. Dr. Muscalus also noted that it will be  
3 critical for members of the Evaluation Committee to  
4 review the questions that have been submitted  
5 pertaining to the RFP and provide the Board with  
6 feedback concerning the responses as quickly as  
7 possible.]

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9 Old Business - None

10 \*\*\*

11 New Business

12 [Dr. Muscalus read a letter submitted by the Hospital  
13 and Healthsystem Association of Pennsylvania  
14 requesting that the Authority reconsider and change  
15 its decision to recommend that the Department of  
16 Health assess a hospitals, ambulatory surgical  
17 facilities and birthing centers at the full assessment  
18 for fiscal year 2003-2004. He noted that he just  
19 received the letter prior to the start of the meeting.  
20 Dr. Muscalus thereafter read the following draft  
21 resolution which he noted, was forwarded to the  
22 members of the Authority approximately a week in  
23 advance of the current meeting: "Whereas at its April

1 14, 2003, meeting the Patient Safety Authority Board  
2 of Directors voted to approve a motion to recommend  
3 that the Department of Health assess facilities  
4 subject to Act 13 reporting requirements the maximum  
5 amount allowable under Section 305(c), and whereas it  
6 is not possible to predict accurate future budget  
7 needs until bids are received from vendors in response  
8 to the request for proposal (RFP) which would be after  
9 June 11, 2003, or until an actual contract is entered  
10 into which would be a later date; and whereas Section  
11 305(c) states that the assessment shall be a fee  
12 necessary to provide sufficient revenues to operate  
13 the authority; and whereas the Patient Safety trust  
14 fund contains a significant balance from the fiscal  
15 year 2002-2003 assessment that will be carried forward  
16 into the following fiscal year; and whereas those  
17 facilities subject to Act 13 reporting and assessment  
18 requirements are under financial stress; and whereas  
19 it is not the intent of the Patient Safety Authority  
20 to apply burdensome requirements on those facilities,  
21 therefore be it resolved that the Authority will  
22 recommend to the Department of Health that although it  
23 will assess facilities for fiscal year 2003-2004 to

1 the maximum amount allowable under the law, the  
2 Authority recommends that facilities remit the  
3 assessment to the Department of Health in two equal  
4 payments, one due on October 1, 2003, and the other  
5 due on April 1, 2004. And be it further resolved that  
6 should the Authority find by December 1, 2003, that it  
7 does not need the funds that would be received through  
8 the second payment, the Authority will recommend to  
9 the Department of Health that the Department cancel  
10 collection of that payment and so inform the affected  
11 facilities.”]

12 DR. POWERS:

13 I move to adopt the resolution related to  
14 facility assessments for fiscal year 2003-  
15 2004.

16 MS. DAILEY:

17 Second.

18 DR. MUSCALUS:

19 Any comments or further discussion on the  
20 resolution? All those in favor of adopting  
21 it as written indicate by saying aye. Those  
22 opposed?

23 [The motion carried; Clifford Rieders, Esquire

1 abstained from voting on the motion.]

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3 [Dr. Muscalus reiterated that the original motion  
4 voted on at the April 14, 2003, meeting is not being  
5 changed.]

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7 Adjournment

8 DR. POWERS:

9 I move to adjourn.

10 DR. SMULLENS:

11 Second.

12 DR. MUSCALUS:

13 Is anyone opposed?

14 [The motion carried unanimously.]

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16 [The meeting was adjourned at 5:33 p.m.]

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Tim Wagner,

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

1 Minute Clerk,  
2 York Stenographic Services  
3 adm  
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			PATIENT SAFETY AUTHORITY
			REFERENCE INDEX
			MAY 7, 2003
		COUNTER	
	TIME	NUMBER	AGENDA
1			
2			
3			
4			
5			
6	5:03	0015	Call to Order, Robert Muscalus,
7			D.O., Chairman
8			
9	5:04	0044	Approval of Minutes of the April
10			14, 2003, meeting
11			
12	5:05	0086	Report of Board Administrator,
13			Alan B.K. Rabinowitz
14			
15	5:07	0241	Report of Board Chair, Robert
16			Muscalus, D.O.
17			
18	5:10	0401	New Business - Proposed Resolution
19			related to facility assessments
20			for fiscal year 2003-2004
21			
22	5:33		Adjournment
23			
24			