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FINAL MINUTES

MEETING OF:

PATIENT SAFETY AUTHORITY

TIME: 9:30 A.M.

JUNE 9, 2003

1 HAAC DRIVE
WILDWOOD CONFERENCE CENTER
HARRISBURG, PENNSYLVANIA

1 Patient Safety Authority

2 June 9, 2003

3 Board Members:

4
5 Robert S. Muscalus, D.O., Chairperson, Pennsylvania
6 Physician General
7 Joan M. Garzarelli, MSN
8 Patricia Clancy Kienle, R.Ph.
9 Lorina L. Marshall-Blake
10 Danae Powers, M.D.
11 Stanton N. Smullens, M.D.
12 Nathaniel J. Zuckerman, M.D. - Absent
13 Cliff Rieders, Esquire
14 Howard F. Messer, Esquire
15 Anita Fuhrman, R.N.
16 The Hon. Mary Ann Dailey

17
18 Staff:

19
20 Alan B.K. Rabinowitz, Board Administrator
21 Peter Hoffman, Esquire, Counsel
22 Sharon Hutton, Administrative Assistant

23
24 Also Present:

25
26 Barbara Holland, Esquire, Department of Health
27 Katherine Keefe, Esquire, Reed Smith

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1 ***

2 Patient Safety Authority

3 June 9, 2003

4 ***

5 The regularly scheduled meeting of the Patient
6 Safety Authority was held on Monday, June 9, 2003.
7 Stanton Smullens, M.D., Vice-Chair, called the meeting
8 to order at 9:30 a.m. on behalf of Robert S. Muscalus,
9 D.O.

10 ***

11 Approval of Minutes of the May 7, 2003, meeting

12 MS. KIENLE:

13 I move to approve the minutes of the May 7,
14 2003, meeting.

15 MS. MARSHALL-BLAKE:

16 Second.

17 DR. SMULLENS:

18 Any discussion? All in favor? Any opposed?

19 [The motion carried unanimously.]

20 ***

21 New Business

22 [Peter Hoffman, Esquire, introduced Katherine M.

23 Keefe, Esquire, from the law firm of Reed Smith, at

1 9:43 a.m. He invited her to discuss HIPPA regulations
2 and how they will impact the activity of the
3 Authority. Also present was Barbara Holland, Esquire,
4 Chief Counsel in the Department of Health, who entered
5 the meeting at 9:56 a.m. Among other topics, Ms.
6 Keefe pointed out that the Authority is not a HIPAA
7 covered entity nor does HIPAA regulate de-identified
8 information. In addition, the Authority's IT vendor
9 would not be classified as a Business Associate of the
10 Authority or any of the reporting facilities. She
11 encouraged the Board to work pro-actively with the
12 reporting facilities to assure them about HIPAA
13 requirements related to the Authority, and encouraged
14 them to take a concerted effort with the Department of
15 Health to communicate issues clearly to hospitals,
16 birthing centers and ambulatory surgical facilities
17 with regard to Act 13 reporting requirements.]

18

19 [Cliff Rieders, Esquire, joined the meeting via
20 telephone at 9:47 a.m. and Robert S. Muscalus, D.O.
21 entered the meeting at 10:04 a.m.]

22

23 Report of Board Chair

1 [Robert S. Muscalus, D.O. addressed the Board at 10:12
2 a.m. to provide a brief report on his attendance,
3 along with Mr. Rabinowitz, at a patient safety
4 conference sponsored by the federal government in
5 Seattle, Washington. He also informed the Board that
6 Calvin Johnson, M.D. was recently appointed as the
7 Secretary of Health. Dr. Muscalus concluded his
8 report to note that the Governor's plan for
9 professional liability reform for Pennsylvania will be
10 rolled out later in the day and the report will be
11 available on the state website through the Office of
12 Healthcare Reform.]

13 ***

14 Report of Board Administrator

15 [Alan B.K. Rabinowitz addressed the Board at 10:15
16 a.m. to report that he has been working with people in
17 the Commonwealth's IT programs to identify IT needs
18 and resources. IT staff will also provide counsel to
19 the Authority throughout the Request for Proposal
20 (RFP) bid evaluation process and ongoing system
21 development and implementation. Mr. Rabinowitz noted
22 the helpfulness of Art Stephens, the Commonwealth's
23 deputy secretary for information technology, who would

1 be joining the Board for an informal talk over lunch.
2 Mr. Rabinowitz then discussed the need to engage the
3 services of a project manager to serve as an interface
4 between himself, the Commonwealth Technology Center
5 and the contractor. He detailed job responsibilities
6 and salary requirements for a project manager. Mr.
7 Rabinowitz also described the need for a
8 communications consultant to provide communications
9 planning, public education and outreach support for
10 the Board. The Board thereafter engaged in a
11 substantive discussion concerning the need to expend
12 funds that would be utilized to handle such needs.]

13 DR. SMULLENS:

14 I make a motion that we give Mr. Rabinowitz
15 the authority to expend up to \$100,000 to
16 engage the services of both a project
17 manager and communications firm and that if
18 additional sums are required it will come
19 back to the Board for approval.

20 MS. KIENLE:

21 Second.

22 [Discussion was held on the motion.]

23 DR. MUSCALUS:

1 All in favor of the motion indicate by
2 saying aye. Those opposed?

3 [The motion was defeated.]

4 ***

5 [There was brief discussion about the role of the
6 Executive Committee as provided for in the By-Laws.]

7 DR. SMULLENS:

8 I make a motion that [individual]
9 expenditures exceeding \$100,000 would
10 require approval by the Executive Committee
11 and those approvals would be reported to the
12 Board at its next meeting.

13 MS. KIENLE:

14 Second.

15 [Discussion was held on the motion.]

16 DR. MUSCALUS:

17 All those in favor of the motion indicate by
18 saying aye. Those opposed?

19 [The motion carried unanimously.]

20 ***

21 MS. GARZARELLI:

22 I make a motion that Mr. Rabinowitz proceed
23 with engaging the services of both a project

1 have patient safety plans in place, establish patient
2 safety committees and implement employee notification
3 about these patient safety requirements. Last, there
4 was a brief discussion concerning the July meeting
5 date. The consensus was to reschedule the meeting
6 from July 14 to July 21, 2003.]

7 ***

8 Report of Board Chair (Cont'd)

9 [Dr. Muscalus reported that for comparison sake he
10 contacted the Pennsylvania Health Care Cost
11 Containment Council (PHC4) to ascertain both the
12 timeframe it took to begin their data collection and
13 its "growing pains" pertaining to office space, hiring
14 of staff, etc. He was told that it took almost two
15 years for PHC4 to initiate data collection. Dr.
16 Muscalus noted that the Authority has "accomplished
17 quite a bit" since its inception and if it begins to
18 receive reports by the fall it "will be in pretty good
19 shape."]

20 ***

21 Adjournment

22 DR. SMULLENS:

23 I move to adjourn.

1 MS. MARSHALL-BLAKE:

2 Second.

3 DR. MUSCALUS:

4 Anyone opposed?

5 [The motion carried unanimously.]

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7 [The meeting was adjourned at 11:20 a.m.]

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19 _____
20 Tim Wagner,
21 Minute Clerk,
22 York Stenographic Services

23 adm

			PATIENT SAFETY AUTHORITY
			REFERENCE INDEX
			JUNE 9, 2003
		COUNTER	
	TIME	NUMBER	AGENDA
1			
2			
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4			
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8	9:42	0080	Call to Order, Stanton Smullens,
9			M.D.
10			
11	9:42	0109	Approval of Minutes of the May 7,
12			2003, meeting
13			
14	9:43	0138	New Business - HIPPA
15			
16	9:41	1901	Report of Board Chair, Robert S.
17			Muscalus, D.O.
18			
19	10:15	2073	Report of Board Administrator,
20			Alan B.K. Rabinowitz
21			
22	11:18	0059	Report of Board Chair (Cont'd)
23			
24	11:20		Adjournment