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FINAL MINUTES

MEETING OF:
PATIENT SAFETY AUTHORITY

HARRISBURG AREA COMMUNITY COLLEGE
WILDWOOD CONFERENCE CENTER
ONE HAAC DRIVE
HARRISBURG, PENNSYLVANIA

TIME: 9:44 A.M.

APRIL 5, 2004

1 Patient Safety Authority

2 April 5, 2004

3 Board Members:

4 Robert S. Muscalus, D.O., Chair, Pennsylvania
5 Physician General
6 The Hon. Mary Ann Dailey
7 Anita Fuhrman, R.N.
8 Patricia Clancy Kienle, R.Ph.
9 Lorina L. Marshall-Blake
10 Danae Powers, M.D. - (Via Telephone)
11 Cliff Rieders, Esquire
12 Stanton N. Smullens, M.D.
13 Nathaniel J. Zuckerman, M.D. - (Via Telephone)

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16 Authority Personnel:

17 Alan B.K. Rabinowitz, Administrator
18 Sharon Hutton
19 Joan Plump, Esquire
20 Laurie Baker, Communications Director

21 Also Present:

22 William Marella, PA-PSRS Interim Project Manager ECRI
23 Dr. John Clarke, M.D., PA-PSRS Clinical Director, ECRI
24 Badal Sanghvi, PA-PSRS Project Manager, EDS
25 Terri Matio, Department of Health
26 Dr. John Combes, Senior Medical Advisor, Hospital and
27 Healthsystem of Pennsylvania
28 Ann D'Amico, Department of Health

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1 Patient Safety Authority

2 April 5, 2004

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4 The regularly scheduled meeting of the Patient
5 Safety Authority was held on Monday, April 5, 2004.

6 Robert S. Muscalus, D.O., Chair, called the meeting to
7 order at 9:44 a.m.

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9 Approval of Minutes of the March 1, 2004, meeting

10 MS. MARSHALL-BLAKE:

11 I move to approve the minutes of the March
12 1, 2004, meeting as submitted.

13 MS. FUHRMAN:

14 Second.

15 DR. MUSCALUS:

16 Any discussion on the minutes? Seeing none,
17 all those in favor of adopting them as
18 submitted please indicate by saying aye.

19 Those opposed nay

20 [The motion carried unanimously.]

21 Dr. Muscalus deferred his report until later.)

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1 Report of Board Administrator

2 [Alan B.K. Rabinowitz addressed the Board at 9:46 a.m.

3 He reminded the members who are required to fill out

4 and submit financial disclosure statements to please

5 do so. All members are subject to Ethics Commission

6 requirements but only those members appointed by the

7 Governor are required to fill out the Governor's Code

8 of Conduct forms. Mr. Rabinowitz provided the

9 following statement from the Department of Health

10 concerning its intended appropriation of \$358,000 from

11 the Patient Safety Trust Fund for costs related to the

12 MCare Act: "The Governor's recommended budget for the

13 Department of Health includes \$358,000 from the

14 Patient Safety Trust Fund for costs incurred in

15 implementing Act 13. These funds will be used to

16 cover operating costs, to establish a single statewide

17 reporting system for providers and to offset salary

18 costs for staff devoting time to patient safety

19 issues." The Department of Health broke down the

20 costs as follows: \$144,000 for salaries; \$214,000 for

21 operating expenses for a total of \$358,000. Terri

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York Stenographic Services, Inc.

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

1 Matio, Department of Health, Budget Office, spoke to
2 the Board. She noted that she anticipates there will
3 be an annual request for funds but it will not always
4 be at the \$358,000 amount. Ms. Matio also noted that
5 the Department of Health will not receive any monies
6 from the Authority until an itemized invoice is sent
7 to the Board reflecting what the costs are. Dr.
8 Muscalus noted that the Board should vote prior to
9 July 1, 2004, with regard to the dollar amount it may
10 allocate from the Trust Fund to the Department of
11 Health. The Board requested a written request from
12 the Department of Health to consider at a subsequent
13 meeting. Mr. Rabinowitz reported that he has been
14 requested by the Joint State Government Commission to
15 serve on an Advisory Committee for the purpose of
16 studying alternatives to existing protocols to medical
17 liability issues. Mr. Rabinowitz then gave an update
18 with regard to Phase II testing. There was discussion
19 about the reports submitted by the 22 facilities
20 participating voluntarily in the test phase. He
21 reminded the Board about the upcoming schedule for
22 facility training prior to statewide implementation.]

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1 Report of Communications Director

2 [Laurie Baker addressed the Board at 10:03 a.m. She
3 noted recent press interviews and informed the Board
4 that Dr. Muscalus gave a presentation to the Senate
5 Republicans a couple of weeks ago and they were "very
6 impressed, very happy with what they saw." Ms. Baker
7 noted that there are two upcoming presentations, one
8 to the House Insurance Committee and one to the House
9 Health and Human Services Committee. Ms. Baker
10 concluded her comments to note that the next big
11 agenda item is the annual report, which is due May 1,
12 2004. Mr. Rieders requested that the Board be
13 provided with a copy prior to its submission.]

14

15 Old Business

16 [Chairman Muscalus addressed the Board at 10:06 a.m.
17 to discuss possible modifications to the report
18 submission form based on recommendations from the
19 Department of Health resulting from its discussions
20 with the Hospital and Healthsystem Association of
21 Pennsylvania (HAP). These consist of the system
22 automatically placing a checkmark in a box next to

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1 certain questions for serious events with a harm score
2 of "E" and "F" for which no additional response would
3 be required. This would only be for some questions
4 under certain circumstances, not all questions for
5 serious events. The Board thereafter engaged in a
6 substantive discussion concerning both the pros and
7 cons of this modification. Dr. John Combes, Senior
8 Medical Advisor, Hospital and Healthsystem Association
9 of Pennsylvania, addressed the Board to note that the
10 modifications/compromise to the report submission form
11 is being done in an effort to help both the Department
12 of Health and hospitals from spending undue time and
13 resources on pursuing "some of the less serious
14 events." Chairman Muscalus reiterated that the
15 modifications to the form do not remove a facility's
16 ability to answer all of those questions nor does it
17 alter the Department of Health's ability to inspect
18 facilities and obtain additional information. He
19 stressed to the Board that this is a "starting point"
20 and that both the number and types of questions could
21 be modified as needed.]

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1 DR. ZUCKERMAN:

2 I'd like to make a motion that we adopt the
3 changes as presented and as discussed by the
4 Department of Health and the Hospital and
5 Healthsystem Association

6 MS. FUHRMAN:

7 Second.

8 [Discussion was held on the motion.]

9 MR. RIEDERS:

10 I would make a motion to table so that we
11 could get the current system into place and
12 maybe take a look at rewording "E" and "F,
13 if it becomes a problem."

14 [Discussion was held on the motion.]

15 DR. POWERS:

16 Second.

17 [Further discussion was held on the motion.]

18 DR. MUSCALUS:

19 It's been moved and seconded to table this
20 issue. Is there any further discussion on
21 the motion to table this issue? Seeing
22 none, all those in favor of tabling this
23 issue until some future time indicate by

1 raising your hand.

2 DR. POWERS:

3 My hand is raised.

4 DR. MUSCALUS:

5 One, two, three. All those opposed raise
6 your hand.

7 [The motion was defeated.]

8 DR. MUSCALUS:

9 Is there any further discussion on Nate's
10 motion?

11 [Further discussion was held on the motion.]

12 DR. MUSCALUS:

13 Is there any further discussion on Nate's
14 motion? If not, then all those in favor of
15 Nate's motion which is to adopt what has
16 been presented indicate by raising your
17 hand. And if you're on the phone say aye.

18 DR. ZUCKERMAN:

19 Aye.

20 DR. MUSCALUS:

21 One, two, three, four, five. Those opposed?

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1 DR. POWERS:

2 Nay.

3 MR. RIEDERS:

4 Will you record the names of the vote?

5 DR. MUSCALUS:

6 The nays are Representative Dailey, Danae

7 and Cliff. And the ayes were Lorina,

8 Patricia, Anita, Stan and Nate.

9 [The motion carried with Anita Fuhrman, R.N., Lorina
10 Marshall-Blake, Stanton W. Smullens, M.D., Patricia
11 Clancy Kienle, R.Ph. and Nathan J. Zuckerman, M.D.
12 voting in favor of the motion; The Honorable Mary Ann
13 Daily, Danae Powers, M.D. and Cliff Rieders, Esquire
14 voted in opposition to the motion.] [Mr. Rieders
15 noted that he would probably make a public statement
16 with regard to his vote on this matter. The Honorable
17 Mary Ann Dailey noted that she would be making a
18 statement to the General Assembly concerning her vote
19 on this matter.]

20 [Chairman Muscalus addressed the Board at 11:20 a.m.
21 to note that the Department of Health's access and

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1 testing of real-time data along with the ability to
2 extract certain data out of PSRS and place it into
3 their internal system, which became effective March
4 15, 2004, is "going well." He reminded the Board that
5 before any mandatory date can be established there
6 must be notification in the Pennsylvania Bulletin and
7 it will not be a "legal date" until the Department of
8 Health is convinced that the system is ready to be
9 rolled out.]

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11 New Business

12 [Chairman Muscalus directed the Board's attention to
13 the bylaws of the Authority, as a reminder, which
14 pertain to membership requirements/attendance.

15 Chairman Muscalus concluded by discussing Board
16 meeting dates for July through December time period.

17 It was the consensus to continue meeting the first
18 Monday of the month for this time period unless the
19 agenda would not be adequate enough to meet or there
20 would be other reasons to cancel meetings.]

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1 Adjournment

2 DR. SMULLENS:

3 I move to adjourn.

4 MS. KIENLE:

5 Second.

6 DR. MUSCALUS:

7 All those in favor? Anyone opposed?

8 [The motion carried unanimously.]

9 ***

10 [The meeting was adjourned at 11:32 a.m.]

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12 _____
13 Brad Weirich,
14 Minute Clerk,
15 York Stenographic Services

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PATIENT SAFETY AUTHORITY
REFERENCE INDEX
APRIL 5, 2004

	TIME	COUNTER NUMBER	AGENDA
1			
2			
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4			
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9	9:44	0020	Call to Order, Robert S. Muscalus, D.O., Chairman
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12	9:45	0068	Approval of Minutes of the March 1, 2004, meeting
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15	9:46	0108	Report of Board Administrator, Alan B.K. Rabinowitz
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17			
18	10:03	1325	Report of Communications Director, Laurie Baker
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20			
21	10:06	1489	Old Business
22			
23	11:30	0530	New Business
24			
25	11:32		Adjournment
26			