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**FINAL MINUTES**

**MEETING OF:**

**PATIENT SAFETY AUTHORITY**

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

TIME: 9:35 A.M.

DATE: MAY 3, 2004

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**Patient Safety Authority**

**May 3, 2004**

**Board Members:**

Robert S. Muscalus, D.O., Chairperson, Pennsylvania  
Physician General  
The Hon. Mary Ann Dailey  
Anita Fuhrman, R.N.  
Joan M. Garzarelli, MSN  
Patricia Clancy Kienle, R.Ph.  
Lorina L. Marshall-Blake  
Danae Powers, M.D. (Via Conference Call)  
Cliff Rieders, Esquire (Via Conference Call)  
Stanton N. Smullens, M.D. (Via Conference Call)  
Nathaniel J. Zuckerman, M.D. (Via Conference Call)

**Authority Personnel:**

Alan B.K. Rabinowitz, Board Administrator  
Sharon Hutton  
Peter Hoffman, Esquire  
Joan Plump, Esquire  
Laurie Baker, Communications Director

**Also Present:**

Ronni Solomon, Esq., Vice President, ECRI  
Dr. John Clarke, PA-PSRS Clinical Director, ECRI  
Dr. John Combes, Senior Medical Advisor, Hospital and  
Healthsystem of Pennsylvania

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Patient Safety Authority

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May 3, 2004

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The regularly scheduled meeting of the Patient Safety Authority was held on Monday, May 3, 2004.

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Robert Muscalus, D.O., Chairman, called the meeting to order at 9:35 a.m.

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9

Approval of Minutes of the April 5, 2004, meeting

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MS. KIENLE:

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12

I move to approve the minutes of the April 5, 2004, meeting as submitted.

13

MS. MARSHALL-BLAKE:

14

Second.

15

DR. MUSCALUS:

16

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19

Is there any discussion on those minutes?  
Hearing none, all those in favor of adopting the minutes as approved indicate by saying aye. Those opposed nay?

20

[The motion carried unanimously.]

21

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22

Report of Board Chair

23

[Dr. Robert Muscalus was pleased to announce that a

1 total of three training sessions have been conducted  
2 to date which consisted of a training session for  
3 Department of Health surveyors for the Eastern region,  
4 along with two training sessions for facilities in the  
5 Eastern region. He noted that both training sessions  
6 went "very well" with "positive feedback" being  
7 reported. Chairman Muscalus next advised the Board  
8 that the May 8, 2004, Pennsylvania Bulletin would  
9 provide notification of mandatory statewide reporting  
10 in the following phases: The Eastern region will begin  
11 mandatory reporting on June 7, the Western region on  
12 June 21 and the Central region on June 28. Chairman  
13 Muscalus reported that he spoke at both the House  
14 Insurance Committee and the House Health and Human  
15 Services Committee hearings, and was questioned  
16 whether the Board would be providing a response to the  
17 "Minority Report" that was released. Following a  
18 brief discussion, the consensus was that no formal  
19 response will be provided to this report. However, if  
20 there are legislators or representatives of state  
21 agencies or others who have specific questions about  
22 the components of the Minority Report Dr. Muscalus  
23 will address them on a case-by-case basis. Dr.

1 Muscalus concluded his report to note that he is still  
2 awaiting word from Representative DeWeese's office on  
3 the appointee who will fill the vacancy left by the  
4 resignation of Howard Messer.]

5 \*\*\*

6 Report of Board Administrator

7 [Alan B.K. Rabinowitz addressed the Board at 9:46 a.m.  
8 to direct its attention to the clarifying information  
9 that the Department of Health submitted concerning  
10 their utilization of \$358,000 from the Patient Safety  
11 Trust Fund for costs related to the MCare Act. The  
12 Board thereafter engaged in a lengthy discussion  
13 concerning whether the allocation of certain dollar  
14 figures for both operating and salary costs for the  
15 Office of Physician General are appropriate. Dr.  
16 Muscalus reiterated, that before any dollars would  
17 actually be transferred, the Board will receive  
18 invoices from the Department of Health that would  
19 outline what specific expenses are for.]

20 \*\*\*

21 [Dr. Powers entered the meeting at 10:03 a.m.]

22 \*\*\*

23 DR. SMULLENS:

1 I move that we authorize the allocation of  
2 \$358,000 to the Department of Health from  
3 the Patient Safety Trust Fund for fiscal  
4 year 2004-2005 in order to get the  
5 PSRS system up and running efficiently, but  
6 that it is not something we feel should be  
7 an ongoing expense and that it would be  
8 judged on a yearly basis.

9 DR. ZUCKERMAN:

10 Second.

11 THE HONORABLE DAILEY:

12 I would just like to say that perhaps we  
13 should request that the Department of Health  
14 include the Office of Physician General in  
15 their proposed budget for next year and then  
16 they would still be in a position to come to  
17 ask us for charge back based upon the  
18 percentage of time allocated for Dr.  
19 Muscalus' position in this Authority.

20 DR. SMULLENS:

21 I would certainly accept that amendment.

22 [Discussion was held on the motion. Dr. John Combes  
23 on behalf of the Hospital Association voiced

1 objections to what it feels are "inappropriate uses of  
2 the funds."]

3 DR. MUSCALUS:

4           Okay, all those in favor of the motion  
5           please indicate by saying aye. We're going  
6           to have to go by name -- or by hand here.  
7           One, two, three ayes. And on the phone?

8 DR. SMULLENS:

9           Stan Smullens, aye.

10 DR. ZUCKERMAN:

11           Nat Zuckerman, aye.

12 MR. RIEDERS:

13           Cliff Rieders, aye.

14 DR. MUSCALUS:

15           Those opposed nay.

16 MS. GARZARELLI:

17           Nay.

18 THE HONORABLE DAILEY:

19           I abstain from this vote.

20 DR. POWERS:

21           I don't understand this entirely so I'm  
22           abstaining.

23 [The motion carried; Representative Mary Ann Dailey

1 and Danae Powers, M.D. abstained from voting on the  
2 motion; Joan Garzarelli, MSN voted in opposition to  
3 the motion.]

4 \*\*\*

5 [The Board next engaged in a substantive discussion  
6 concerning the Department of Health's request that the  
7 Authority reimburse the approximately \$10,000 in costs  
8 that they are incurring for sending surveyors to  
9 training sessions and for training DOH surveyors  
10 themselves on the new reporting system. Discussion  
11 was held concerning the type of precedent that will be  
12 set in approving this request.]

13 DR. SMULLENS:

14 I would make a motion that we request the  
15 Department of Health to clarify the use of  
16 the \$10,000 request.

17 DR. POWERS:

18 Second.

19 [Discussion was held on the motion.]

20 DR. SMULLENS:

21 I'd be willing to amend my motion to reflect  
22 that there is a concern about the cost of  
23 educating the surveyors in the system but

1           that there is less concern about having  
2           reimbursed them for expenses in terms of  
3           helping the hospitals in their training  
4           periods.

5 MS. FUHRMAN:

6           Second.

7 DR. MUSCALUS:

8           Any further discussion on that motion with  
9           the amendment? All those in favor indicate  
10          by raising your hands here. One, two,  
11          three, four, five here. And ayes on the  
12          phone?

13 DR. SMULLENS:

14          Aye.

15 DR. ZUCKERMAN:

16          Aye.

17 MR. RIEDERS:

18          Aye.

19 DR. MUSCALUS:

20          Anyone opposed raise your hand or say nay.

21          We have one nay.

22 [The motion carried with one vote in opposition.]

23

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1 Old Business

2 [Dr. Muscalus advised the Board that the National  
3 Quality Forum has requested entities utilizing patient  
4 safety taxonomies to provide them with such in an  
5 effort to "get a sense of who is using what around the  
6 country" which may "ultimately result in some type of  
7 a recommendation for a national taxonomy." The  
8 consensus was for the Authority to submit the taxonomy  
9 that will be implemented along with a copy of Act 13.  
10 Ms. Garzarelli requested that any future requests for  
11 appropriation of funds be researched and that the  
12 Board is provided with "clear documentation of where  
13 in the budget it's coming from and that it is  
14 appropriate."]

15 \*\*\*

16 Adjournment

17 DR. POWERS:

18 I move to adjourn.

19 MS. KIENLE:

20 Second.

21 DR. MUSCALUS:

22 Anyone opposed?

23 [The motion carried unanimously.]

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[The meeting was adjourned at 10:43 a.m.]

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Brad Weirich,  
Minute Clerk,  
York Stenographic Services

PATIENT SAFETY AUTHORITY  
REFERENCE INDEX  
MAY 3, 2004

	TIME	COUNTER NUMBER	AGENDA
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8	9:35	0105	Call to Order, Robert S. Muscalus,
9			D.O., Chairman
10			
11	9:36	0118	Approval of Minutes of the April
12			5, 2004, meeting
13			
14	9:36	0140	Report of Board Chairman, Dr.
15			Robert Muscalus
16			
17	9:46	0666	Report of Board Administrator,
18			Alan B.K. Rabinowitz
19			
20	10:39	4190	New Business
21	10:43		Adjournment

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