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FINAL MINUTES

MEETING OF:

PATIENT SAFETY AUTHORITY

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

TIME: 10:41 A.M.

DATE: August 2, 2004

1 Patient Safety Authority

2 August 2, 2004

3 Board Members:

4
5 Robert S. Muscalus, D.O., Chairperson, Pennsylvania
6 Physician General
7 Hon. Mary Ann Dailey, R.N., DNSc (via phone)
8 Joan M. Garzarelli, RN, MSN
9 William J. Goodrich, Esq
10 Roosevelt Hairston, Esq
11 Lorina L. Marshall-Blake
12 Gary A. Merica
13 Danae Powers, M.D.
14 Nathaniel J. Zuckerman, M.D. (via phone)
15

16 Authority Personnel:

17 Alan B.K. Rabinowitz, Board Administrator
18 Sharon Hutton
19 Joan Plump, Esq
20 Peter Hoffman, Esq
21 Laurene Baker, Communications Director
22

23 Also Present:

24
25 John R. Clarke, M.D., Clinical Director, PA-PSRS
26 Dr. John Combes, Senior Medical Advisor, Hospital and
27 Healthsystem Association of Pennsylvania
28 Peter Dalina, Department of State
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PATIENT SAFETY AUTHORITY

August 2, 2004

The regularly scheduled meeting of the Patient Safety Authority was held on August 2, 2004. Robert S. Muscalus, D.O., Chairman, called the meeting to order at 10:41 a.m.

[New Board members Gary A. Merica, R.Ph., Roosevelt Hairston, Esquire and William J. Goodrich, Esquire, were introduced and welcomed.]

Approval of Minutes of the May 3, 2004, meeting

MS. GARZARELLI:

I move to approve the minutes of the May 3, 2004, meeting as submitted.

DR. POWERS:

Second.

DR. MUSCALUS:

Any discussion, additions, corrections? If not, all in favor of adopting them as submitted please indicate by saying aye. Those opposed nay?

1 [The motion carried unanimously.]

2 ***

3 Report of Board Chairman

4 [Chairman Robert Muscalus addressed the Board at 10:46
5 a.m. to note that as of June 28, 2004, all
6 Pennsylvania-licensed hospitals, ambulatory surgical
7 facilities and birthing centers are now submitting
8 reports through PA-PSRS and that things are "going
9 well" since its implementation. Chairman Muscalus
10 highlighted the success of the training sessions that
11 were conducted for the facilities and the Department
12 of Health surveyors. He also noted that the second
13 Patient Safety Advisory was issued in June 2004, which
14 is resulting in a lot of "very positive feedback from
15 a lot of different areas." Chairman Muscalus
16 concluded his remarks by commenting on his attendance
17 at a meeting of the National Academy of State Health
18 Policy that was held in Baltimore, Maryland.]

19 ***

20 Report of Board Administrator

21 [Alan B.K. Rabinowitz addressed the Board at 10:50
22 a.m. to report that the Authority has elected to send
23 a communication, independent of what the Department of

1 Health may elect to do as the regulatory body, to
2 those facilities who have not yet submitted any
3 reports of serious events or incidents
4 reminding them of the reporting requirements under the
5 Act and letting them have the opportunity to inform
6 the Authority as to whether they're experiencing some
7 kind of a technical problem. Mr. Rabinowitz announced
8 that as of July 25, 2004, 11,013 serious events and/or
9 incidents have been reported.]

10 ***

11 [Lorina Marshall-Blake entered the meeting at 10:56
12 a.m.]

13 ***

14 [Mr. Rabinowitz reviewed the types of events that are
15 being reported in the four major categories, noting
16 that seven-percent of the 11,013 reports were
17 identified as serious events as opposed to the five
18 percent that the Authority was identifying as serious
19 events during the test phase. He also noted that
20 approximately 2,000 copies of the June 2004 Patient
21 Safety Authority Advisory were sent electronically and
22 a couple of hundred in hardcopy. Mr. Rabinowitz next
23 reported on the positive media exposure that the

1 Authority is receiving via newspapers, television
2 broadcasts and a statement recently by the
3 Pennsylvania Medical Society. He also advised the
4 Board that House Bill 2371 (Rep. Dailey) passed the
5 House of Representatives and is now in the Senate.
6 Mr. Rabinowitz also noted that several facilities have
7 been incorrectly coding "elopements" that are
8 occurring within their emergency departments. These
9 events are not reportable to the Patient Safety
10 Authority but should be reported to the Department of
11 Health as infrastructure failures. Information about
12 reporting elopements was included in the June Patient
13 Safety Advisory. This may help correct the problem.]

14 ***

15 Old Business

16 [Mr. Rabinowitz announced that the General Assembly
17 has disallowed the Department of Health's request to
18 utilize \$358,000 from the Patient Safety Trust Fund
19 for fiscal year 2004-2005, which the Authority had
20 voted to allocate, with restrictions, at its May 3,
21 2004, meeting. He reported that the Department's
22 General Fund appropriation was apparently increased by
23 the same dollar amount of \$358,000 to compensate.]

1

2 New Business - Fee Assessment

3 [Peter B. Dalina, Director, Bureau of Finance and

4 Operations in the Department of State, met with the

5 Board at 11:15 a.m. to provide fiscal details prior to

6 the Board discussions about the new facility

7 assessment. Also present was Patricia A. Ventrone,

8 Chief, Department of State Fiscal Management Division.

9 The Board thereafter engaged in a substantive

10 discussion concerning the advantages/disadvantages of

11 assessing the full \$5 million, the maximum authorized

12 under Act 13. Dr. Muscalus stressed the importance of

13 maintaining the positive relationship that has been

14 established with the facilities and if the Authority

15 should assess the full \$5 million it should assure the

16 facilities that this is being done because of the

17 "potential for some unknown." Dr. John Combes, Senior

18 Medical Advisor, Hospital and Healthsystem Association

19 of Pennsylvania, strongly urged the Board to "take

20 only what it needs" so as not to harm the Authority's

21 credibility.]

22 DR. POWERS:

23 I move that we assess half the fee, the \$2.5

York Stenographic Services, Inc.

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

1 million for the upcoming fiscal year.

2 THE HONORABLE DAILEY:

3 Second.

4 DR. MUSCALUS:

5 Any discussion? If not, those in favor
6 indicate by raising your hand. Those
7 opposed?

8 [The motion carried; Joan M. Garzarelli, RN, MSN,
9 abstained from voting on the motion.]

10 ***

11 New Business - Right-to-Know Policy

12 [The Board reviewed and discussed a draft PSA Right-
13 to-Know Law Request Policy prepared by Joan Plump,
14 Esquire. There was a discussion concerning how Right-
15 to-Know requests that are denied will be handled.
16 Ms. Plump advised the Board that this policy would be
17 posted in the Authority's office and also on the
18 website.]

19 DR. ZUCKERMAN:

20 I move to accept the draft Right-to-Know
21 policy.

22 DR. POWERS:

23 Second.

1 New Business - Data Ownership

2 [Discussion was held concerning how the Authority will
3 handle passwords and access to data in connection with
4 a facility's change of ownership, with the consensus
5 being that access to PA-PSRS accompanies the license.
6 Any continued access by the seller to historical data
7 would be a matter of negotiation in the sales
8 agreement. Dr. Powers suggested that since this is an
9 "evolutionary topic" it should be left open for future
10 discussion if the situation requires.]

11 ***

12 New Business - Requests for Research

13 [Discussion was held concerning whether and how to
14 release PA-PSRS data for the purpose of research. The
15 consensus was that such research would promote the
16 Authority's goal of improving patient safety. There
17 was also discussion about requiring the individual
18 requesting the information to cover any costs incurred
19 for retrieving the data. Counsel advised dealing with
20 each specific request individually as they are made.
21 Dr. Muscalus noted that he had received one specific
22 data request so far, as well as a proposal to help
23 fund patient safety training sessions. He suggested

1 forming a committee for the purpose of discussing
2 these requests as they are submitted and noted that
3 anyone interested in serving on this committee should
4 contact him.]

5 ***

6 Other Matters

7 [Dr. Muscalus suggested that, now that the system is
8 up and running, the Board should hold meetings every
9 two months for the remainder of the year and then
10 consider the schedule for public meetings for 2005.
11 The Board concurred with this suggestion.]

12 ***

13 Adjournment

14 MS. MARSHALL-BLAKE:

15 I move to adjourn.

16 DR. POWERS:

17 Second.

18 DR. MUSCALUS:

19 Any opposed?

20 [The motion carried unanimously.]

21 ***

22 [The meeting was adjourned at 1:25 p.m.]

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Brad Weirich,
Minute Clerk,
York Stenographic Services

1			PATIENT SAFETY AUTHORITY
2			REFERENCE INDEX
3			AUGUST 2, 2004
4			
5		COUNTER	
6	TIME	NUMBER	AGENDA
7			
8	10:41	0130	Call to Order, Robert S. Muscalus,
9			D.O., Chairman
10			
11	10:42	0163	Introduction of New Board Members
12			
13	10:44	0319	Approval of Minutes of the May 3,
14			2004, meeting
15			
16	10:45	0357	Report of Board Chairman, Robert
17			S. Muscalus, D.O.
18			
19	10:50	0686	Report of Board Administrator,
20			Alan B.K. Rabinowitz
21			
22	11:10	2000	Old Business
23			
24	11:12	2217	New Business
25			
26	1:20	4827	Other Matters - Board Meeting
27			Dates
28			
29	1:25		Adjournment