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Skyline news

REPORTING ON NEW YORK'S HEALTH CARE NEWS

GNYHA 2002 Annual Meeting Set for April 11; Governor Pataki to Give Keynote Address

The GNYHA 2002 Annual Meeting will be held on April 11, 2002, at the Sheraton New York Hotel in Manhattan, on Seventh Avenue between 52nd and 53rd Streets, from 8:00 a.m. until 11:30 a.m.

Program: Following a breakfast and annual business meeting, during which the membership will elect new officers and

Board members for the coming year and vote on a bylaws change, Governor George E. Pataki will deliver the Keynote Address. Two concurrent sessions will follow the Governor's address.

Session A, entitled "The Threat of Terrorism: How Our Nation, Our Region, and Our Health Care Community Are Preparing," will feature three national experts on

emergency preparedness: Jerome M. Hauer, Senior Advisor to U.S. Secretary of Health and Human Services Tommy

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Bush, Congress Approve Bond Refunding for NY Hospitals

As part of economic stimulus legislation signed by President George W. Bush on March 9, 2002, the President and Congress have approved a provision that would allow hospitals in New York City to engage in one more advance refunding of tax-exempt bonds, for which there has already been one advance refunding, so long as the advanced refunding is undertaken prior to January 1, 2005. Under current law, tax-exempt bonds issued after 1986 may be subject to only one advance refunding. Under the provision, championed by New York's senators Hillary Rodham Clinton and Charles E. Schumer, and New York's members of the Ways and Means Committee, includ-

ing Congressmen Amo Houghton, Charles E. Rangel, and Michael McNulty, the total maximum aggregate face amount of bonds to be advance refunded in the City, including for non-hospital entities, would be capped at \$9 billion, with \$4.5 billion designated by the Governor and \$4.5 billion designated by the Mayor. It is the hope of the New York Congressional Delegation that hospitals will be able to take advantage of the improved interest rate environment through another advance refunding. GNYHA is grateful to the New York delegation for their work on this issue, as well as on the entire September 11 relief tax package that was included in the economic stimulus bill. ■

House Panel Approves Budget Resolution

On March 13, 2002, the House Budget Committee approved its Budget Resolution for the Federal fiscal year beginning on October 1, 2002. The Budget Resolution outlines overall spending by category and provides a blueprint for other Congressional committees to follow when designing spending and savings proposals. With regard to Medicare, the Budget Committee approved an additional \$350 billion over 10 years to allow the Ways and Means Committee to fashion legislation to provide prescription drugs for Medicare beneficiaries, to make adjustments to provider payments, and to reform the Medicare program. By contrast, the President proposed \$190 billion over 10 years for Medicare prescription drugs and reform. With regard to Medicaid, the Committee did not assume that Congress would act on the President's prescription drug sav-

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Panel Presents CPOE Implementation Strategies

On March 13, GNYHA convened an expert panel for a discussion on computerized physician order entry (CPOE) systems. The panelists represented six member institutions that have implemented CPOE systems: Montefiore Medical Center, Maimonides Medical Center, Hackensack University Medical Center, Mount Sinai Hospital, Westchester Medical Center, and Memorial Hospital for Cancer and Allied Diseases.

Presentations: Four panel members presented an overview of the CPOE selection and implementation process at their institutions: Dorrie Napoleone, Director of Clinical Systems, Montefiore Medical Center; Svetlana Granovsky, Project Manager, CPOE, Memorial Hospital for Cancer and Allied Diseases; Robert Fakelmann, Administrative Director of Medication Safety and Clinical Services, Hackensack University Medical Center; and Sandra Rohrbacher, Manager of Clinical Information System Projects, also from Hackensack. The presentations documented the complicated strategies involved in customizing the CPOE systems for their institutions and the resources necessary for training physicians, nurses, and other health care providers in using such a system. The challenges of implementing a CPOE system were described, as were the strategies that each institution utilized to overcome difficulties. In addition, Fredrick Cassera, Director of Pharmacy, Maimonides Medical Center, presented information documenting how CPOE has helped improve medication safety at his institution, and how errors associated with physician handwriting, high-risk medications, confusing abbreviations, and duplication of therapies were prevented.

Question-and-Answer Session: A one-hour question-and-answer session followed the presentations, giving the attendees a chance to hear the panelists' recommendations on best practices and lessons learned. Common threads throughout the program included the need to have buy-in from top physician

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Thompson for National Security and Emergency Management, and former Director of the NYC Mayor's Office of Emergency Management; and R. James Woolsey, Partner, Shea and Gardner, and former Director of Central Intelligence (1993-95). James Kallstrom, Director, New York State Office of Public Security, has also been invited to participate in this session. Susan Waltman, GNYHA's Senior Vice President and General Counsel, will moderate the session.

In Session B, entitled "Consumer-Focused Long Term Care in the Era of Publicly Available Information," the expert panel will include Rosalie A. Kane, Professor, Division of Health Services, Research, and Policy, University of Minnesota School of Public Health; Barbara Paul, M.D., Director of the Quality Measurement and

Health Assessment Group, Center for Beneficiary Choices, Centers for Medicare and Medicaid Services; and Alan White, Ph.D., Senior Associate, Abt Associates, Inc., and Principal Investigator of the Federal study, *Appropriateness of Minimum Nurse Staffing Ratios in Nursing Homes*. This panel will be chaired by Daniel Reingold, Executive Vice President, The Hebrew Home for the Aged at Riverdale.

Registration: All attendees must pre-register for this event no later than April 5, 2002. The meeting is free of charge for all GNYHA members and members of the press, and \$175 per person for non-members. All *Skyline News* subscribers will receive a GNYHA 2002 Annual Meeting brochure and registration form. If you have not received a registration brochure, contact Barbara Marino at GNYHA. ■

New York State Legislature Passes Health Care Whistleblower Legislation

The New York State Senate and Assembly have passed legislation that would prohibit improper retaliatory action against health care workers who disclose to a public entity an "activity, policy, or practice" leading to improper patient care. Similar whistleblower legislation has been passed in previous years, but Governor Pataki did not approve it. GNYHA understands that the Governor will sign this year's legislation.

The legislation (A.9454/S.5813) prohibits health care employers from taking retaliatory action against any employee who discloses to a public body or refuses to participate in any hospital policy or practice that the employee believes could result in improper quality of patient care. For the prohibition to apply, prior to notifying a public body, the employee must notify his or her supervisor of the improv-

er care and provide the employer adequate time to respond, unless the employee believes the practice or policy poses an imminent threat to public health, public safety, or the health of a patient, or if the employee believes the supervisor would not correct the action.

Employees may bring a civil suit against health care employers if improper retaliatory action was taken against the employee. In addition, the court may award penalties of up to \$10,000, payable to a newly established "quality of patient care fund," which the New York State Department of Health will use for improving patient care.

GNYHA will work closely with State officials on the implementation of this bill to ensure that the new statute does not inappropriately interfere with GNYHA members' critical human resources decision-making. ■

Johnson Holds Hearing on Quality and Information Technology

On March 7, 2002, House Ways and Means Health Subcommittee Chair Nancy Johnson (R-CT) held a hearing in Washington, D.C., on Health Quality and Medical Errors. Declaring that the volume of medical errors "is shocking and unacceptable to caregivers and patients alike," and that "health professionals work long hours after years of training to help people, not harm them," Congresswoman Johnson asked the invited witnesses to help the Subcommittee craft legislation to reduce medical errors that will help providers learn from mistakes while maintaining appropriate confidentiality protections. "I am hopeful," she said, "that this Subcommittee can advance bipartisan legislation soon to address this problem, recognizing the lack of malice that causes these errors while also recognizing their cost."

Testifying at the hearing on behalf of the American Hospital Association was Matthew Miller, M.D., Vice President for Medical Affairs at Danbury Hospital, a teaching hospital in Danbury, Connecticut. Dr. Miller strongly urged the Subcommittee to help hospitals create a culture of safety that recognizes that human beings, by their very nature, are vulnerable to error and, thus, should not be subjected to an environment of punishment or fear. Instead, Dr. Miller said, "We have to develop effective mechanisms for candid discussion of errors...It is essential that carefully constructed Federal confidentiality and evidentiary legal protections be developed to encourage a culture of safety based on candor and learning." Dr. Miller urged legislation to allow the sharing of confidential information

with health care oversight agencies, other hospitals, or outside experts without exposing hospitals to crushing legal liabilities. Dr. Miller also cautioned the Subcommittee against viewing certain technologies, such as computerized physician order entry systems (CPOEs) and bar-coding, as "silver bullet" solutions to drug prescribing errors. Dr. Miller pointed out that CPOE technology is still very new and extremely expensive and difficult to implement. Given financial pressures facing hospitals, including impending Medicare update and indirect medical education cuts, soaring prices for pharmaceuticals and other medical supplies, and an increase in the number of uninsured Americans, Dr. Miller stated that it will be increasingly difficult for hospitals to afford expensive medical error reduction technologies without Federal support.

NYP Testimony: In written testimony sub-

mitted for the record, Herbert Pardes, M.D., President and CEO of the New York-Presbyterian Hospital, argued that information technology has the potential to greatly reduce medical errors and enhance health care quality. Dr. Pardes pointed out, however, that many barriers exist to bringing such information technology to hospitals, such as cost, complexity of regulations including requirements under the Health Insurance Portability and Accountability Act, and the lack of a standard platform technology to support the interoperability of information technology systems. Dr. Pardes called for Federal funding for research in this area, as well as funding to help hospitals invest in information technology.

GNHYA Position: GNHYA strongly supports several proposals to help hospitals invest in information technology, including the Health Information Technology and Quality Improvement Act (S.705), sponsored by Senator Charles E. Schumer (D-NY), and the Medicare Errors Reduction Act (H.R. 3292), sponsored by Congressman Amo Houghton (R-NY). ■

Recent Web Casts of GNHYA Events

The following events are now available for viewing on the GNHYA Web site:

- "Interdisciplinary Denial Management," held on December 12, 2001
- "Incident Command System," held on December 13, 2001
- "Smallpox Briefing," held on January 10, 2002
- "Patient Registration and Financial Clearance," held on January 23, 2002

To view a Web cast, go to the Members' Area of the GNHYA Web site, www.gnyha.org. The available Web casts are listed on the Members' Area home page under "What's New." For viewing, use a Pentium I computer (or better) with audio card and speakers, Windows Media Player,

and an Internet connection of 57K or better. If you work for a GNHYA member institution but do not have a password for the Members' Area, click on "Members' Area" and "GNHYA Members' Registration," and fill out and submit the provided form. Your application will be approved within 24 hours (Monday through Friday).

Web casts are produced and provided by GNHYA Streaming Productions, Inc. (Stream57), a subsidiary of GNHYA. Stream57 is a full-service streaming media company that enables any organization to send streaming media—audio and video—across the Internet to people around the world through their business computers. For more information, call (212) 258-5312 or visit www.stream57.com. ■

House Panel Approves Budget Resolution *continued from page 1*

ings proposal, but did assume that Congress would pass the Family Opportunity Act, which would allow states to give parents of disabled children whose income renders them ineligible for Medicaid the option of enrolling their children in the Medicaid program. The resolution now goes to the full House for consideration. The Senate Budget Committee is expected to act on its

Budget Resolution this week. GNHYA has been working with Senate Budget Committee member Hillary Rodham Clinton and others to ensure that the Senate Budget Resolution provides funding to make Medicare provider payment adjustments, including repeal of the Medicare reimbursement rate cut to teaching hospitals scheduled to take effect on October 1, 2002.

In other news, the Bush Administration reaffirmed its position that provider changes should be budget-neutral and suggested reducing hospital market basket updates further to pay for increased Medicare physician reimbursement rates. The Administration also said that it opposes eliminating the 15% cut for home health providers and indicated a willingness to look at payment adjustments for skilled nursing facilities. ■

Lawsuit Seeks to Enjoin Implementation of Federal Medicaid UPL Rule

On March 7, 2002, a coalition of hospital associations and hospitals led by the American Hospital Association and the National Association of Public Hospitals filed suit in Federal District Court in Arkansas to block the implementation of a Federal Medicaid regulation that would prohibit State Medicaid programs from making higher Medicaid payments to non-state public hospitals. The Hospital Association of New York State (HANYs) was a named plaintiff and the New York City Health and Hospitals Corporation (HHC) is participating in the suit as well. The new regulation, which was to have gone into effect on March 19, 2002, would have modified current rules that permit states to pay public hospitals up to 150% of the amount they are permitted to pay to

non-public hospitals under so-called Upper Payment Limit (UPL) rules. The hospital groups allege that the Department of Health and Human Services (HHS) violated various requirements in the procedures used to promulgate the new rule and that the rule is arbitrary and capricious. HHS has conceded that one such requirement was not met, and that

it will delay the effective date of the rule to April 15, 2002. NYS received permission from HHS to make higher payments to public hospitals under the UPL rules that HHS wants to eliminate; therefore, the delay is beneficial to the State's plans for ensuring access to health care for low-income populations and public hospitals such as HHC's facilities. ■

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and administrative leaders in the institution, rolling out the CPOE system in phases throughout the institution, and utilizing the CPOE system for all types of orders, including medication, radiology, laboratory, and other ancillary areas. All panel members emphasized that physicians and other health

care providers are much more inclined to use an order entry system if they are able to access test results as well as place orders using the system. Once the CPOE system is being used, they added, prescribers quickly learn to appreciate the value of working with an online patient chart. ■

Upcoming GNYHA Briefings

HIPAA Briefing by HHS

Date: Thursday, March 21, 2001

Time: 1:00 p.m.–3:30 p.m.

Location: GNYHA Conference Center, 555 West 57th Street, 15th Floor

The purpose of this briefing is to help GNYHA members learn more about the privacy regulations defined under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The program will feature a presentation by Louis Altarescu, Attorney for the U.S. Department of Health and Human Services (HHS), Office of the General Counsel, Civil Rights Division, on the provisions of the Privacy Rule. Mr. Altarescu served on the HHS policy team that developed the HIPAA privacy regulations and is the principal health privacy attorney for HHS's Office for Civil Rights (OCR). For more information call Susan Stuard, and to register call Barbara Marino, both at GNYHA.

Emergency Department Reporting to SPARCS

Date: Tuesday, March 26, 2002

Time: 1:00 p.m.–3:00 p.m.

Location: GNYHA Conference Center, 555 West 57th Street, 15th Floor

This briefing will provide information on the implementation of Emergency Department (ED) visit reporting to the Statewide Planning and Research Cooperative System (SPARCS). Last September, Governor Pataki signed legislation requiring hospitals to report ED encounters to the NYS Department of Health, and SPARCS was named as the system to define the reporting requirements. This briefing will be conducted by representatives from the SPARCS bureau, who will review the data elements for ED reporting. For more information contact Stewart Presser, and to register contact Barbara Marino, both at GNYHA.

Meeting of GNYHA Blood Shortage Workgroup

Date: Friday, April 5, 2002

Time: 10:00 a.m.–12:00 noon

Location: GNYHA Conference Center, 555 West 57th Street, 15th Floor

At this meeting, GNYHA members and a representative from the New York Blood Center will discuss recruiting new blood donors. The workgroup consists of individuals in charge of blood supplies at GNYHA member hospitals. For more information call Doris R. Varlese, and to register call Barbara Marino, both at GNYHA.

The New York State Quality and Safety Agenda

Date: Monday, April 15, 2002

Time: 2:00 p.m.–4:30 p.m.

Location: GNYHA Conference Center, 555 West 57th Street, 15th Floor

At this member briefing, Wayne Osten, Director, Office of Health Systems Management, New York State Department of Health (DOH), along with members of his staff, will discuss the Governor's and DOH's 2002–03 quality and safety agenda. The initiatives that are under way at the State level and DOH's recent Request for Applications on quality and patient safety initiatives will be highlighted. For more information contact Terri Straub, and to register contact Cynthia Benchemmar, both at GNYHA.

Myths and Facts in Responding to Radiation/Nuclear Events

Date: Tuesday, April 16, 2002

Time: 2:00 p.m.–4:30 p.m.

Location: GNYHA Conference Center, 555 West 57th Street, 15th Floor

This briefing will provide a practical perspective for health care organizations on dealing with real or potential radiation/nuclear events, and strategies for

identification, triage, decontamination, isolation, and treatment of exposed individuals. The program will be presented by Steven Garner, M.D., Senior Vice President and Chief Medical Officer of Saint Vincent Catholic Medical Centers of New York, and Christopher Marshall, Ph.D., Director of Radiation Safety, New York University/New York University Medical Center. The briefing will also feature a panel of experts that will include representatives from the NYS and NYC Departments of Health, hazardous materials experts, and a representative of the Indian Point Nuclear Power Plant. The panel participants will provide an overview of their preparations for a radiation/nuclear event and the protocols to follow if such an event were to take place. For more information call Terri Straub, and to register contact Cynthia Benchemmar, both at GNYHA.

"HAZMAT for Health Care" Training Sessions

Dates: Wednesday, April 24, 2002; Friday, April 26, 2002; Wednesday, May 8, 2002; Tuesday, May 21, 2002; Tuesday, May 28, 2002; Thursday, May 30, 2002

Time: 9:00 a.m.–4:00 p.m.

Location: GNYHA Conference Center, 555 West 57th Street, 15th Floor

North Shore-Long Island Jewish Health System has received grants from the Federal government to conduct these "train-the-trainer" sessions covering hospital response to hazardous materials (HAZMAT) incidents. The course is appropriate for all types and levels of hospital staff, both clinical and non-clinical, who would then train others at the facility. The subject matter will be identical at each session, so staff need attend only once. Since space is limited, we ask that no more than two staff members per facility attend in total. For more information contact Doris R. Varlese, and to register contact Barbara Marino, both at GNYHA. ■