



MARCH 19, 2001

# Skyline news

REPORTING ON NEW YORK'S HEALTH CARE NEWS

## Senator Clinton Meets with GNYHA Board Members

**O**n March 5, 2001, U.S. Senator Hillary Rodham Clinton met with the hospital and continuing care chief executive officers of the GNYHA board to discuss the New York health care environment and Federal issues of importance to GNYHA members. GNYHA staff gave a detailed presentation on the economic challenges facing New York's hospitals and continuing care com-

munity, and GNYHA's board members had the opportunity to interact with the Senator and specify the issues of most importance to their individual facilities. The Senator discussed GNYHA's top legislative priorities, including halting further Medicare cuts to teaching hospitals, restoring full Medicare market basket updates for hospitals and skilled

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## Healthcare Education Project Launches Campaign Urging Funding to Nursing Homes

**O**n March 8, 2001, the Healthcare Education Project—a joint initiative of GNYHA and 1199/SEIU New York's Health and Human Service Union—launched a major media and advocacy campaign to urge State elected officials to increase funding to nursing homes in New York State in order to avert a staff shortage crisis. The campaign includes television ads in all major upstate markets and a statewide grassroots mobilization effort involving direct mail to households, a postcard-writing campaign within all GNYHA member nursing homes, a massive phone banking initiative, community forums, and a toll-free number (1-866-987-CARE) that people can call to get more information and sample letters to legislators. The goal of the campaign is to raise awareness about the staff shortage problem in nursing homes and to urge elected officials to increase State funding for nursing homes so they can continue to provide high-quality care to their residents. The television ads and direct mail pieces emphasize that while New York's nursing homes provide excellent care day after day, there are not enough workers and the problem is becoming serious. "In the short term, nursing homes need new fund-

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## Coalition Urges State Officials to Provide Health Insurance for Legal Immigrants

**T**he Healthcare Education Project—a joint initiative of 1199/SEIU New York's Health and Human Service Union and GNYHA—joined forces with a coalition representing over 50 diverse organizations, including immigrant advocacy groups, health care providers, and labor and consumer organizations, to urge State officials to provide low-income legal immigrants access to Medicaid and the new Family Health Plus (FHP) program. Under current law, most legal adult immigrants who entered the country after August 1996 are not eligible for publicly funded health insurance, in spite of the fact that they contribute to the State's economic growth and pay taxes at a level

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**When our families landed on Ellis Island, they never imagined the door to opportunity could slam shut.**

From the Bronx to Buffalo, New York State was built by immigrants struggling to achieve the American dream.

But New York has lost sight of its history.

New York's working immigrants pay over \$18 billion in taxes each year. But unlike immigrants in our neighboring states, they are denied access to the most basic health care benefits—even if they suffer from asthma, diabetes or cancer.

Just like in 1901, immigrants in 2001 are working hard for a better life. They deserve a healthier life too.

**FILL OUT THIS CARD!**  
Let your elected officials know that immigrants have a right to health care in New York State.

DEAR GOVERNOR AND LEGISLATOR,  
My son/daughter/sister/brother/sister-in-law is an immigrant from [country].

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

1199 SEIU

# GNYHA Advocates for Information Technology Funding

GNYHA is undertaking a number of initiatives to promote its members' needs to develop and purchase information technology (IT) systems for cost reduction, quality improvement, and biomedical research purposes. First, GNYHA, along with a broad coalition of groups including large employers, information technology firms, labor unions, and consumer advocates, has been making the rounds on Capitol Hill to drum up Congressional support for funding that would enable health care providers to better meet their IT needs. The funding would include money for hardware and software as well as for ongoing education and training in technologies—including physician order entry systems—that can help enhance safety, and technologies that can help hospitals and other health care providers comply with the privacy and other requirements of the Health Insurance Portability and Accountability Act of 1996.

The coalition recently sent a letter to members of Congress seeking IT funding for health care providers. Signatories included IBM and Premier, Inc., which played key roles in forming the coalition; large employers, such as Caterpillar and Verizon; labor unions, including the AFL-CIO; health care providers, such as New York-Presbyterian Health Care System and Vanderbilt University Medical Center; and provider associations, such as GNYHA and the Association of American Medical Colleges. In addition to meeting with staff from the House Ways and Means Committee and the Senate Finance Committee, the coalition has met with Debra Barrett, a key health care advisor for Senator Charles Schumer (D-NY).

GNYHA has also been meeting with staff of the New York Congressional Delegation to gain support for IT funding for its member hospitals and continuing care providers.

## Development of New Financing Vehicle:

In a separate initiative, GNYHA is also pursuing the possibility of creating a new financing vehicle for promoting invest-

ments in health care technology and for funding members' IT development, acquisition, and investment needs. For assistance with these initiatives, GNYHA has created an Information Technology Workgroup, which will focus on developing funding for meeting GNYHA member IT needs, promoting common IT standards, and sharing best practices in designing and implementing IT systems. GNYHA's efforts are strongly supported by the Institute of Medicine's most recent quality report, *Crossing the Quality Chasm: A New Health System for the 21st Century*, and the President's Information Technology Advisory Committee report, *Transforming Health Care Through Information Technology*, released February 9, 2001—both of which emphasize the vast potential of information technology to improve the delivery of and access to health care. ■

## Senator Clinton Meets with GNYHA Board Members

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nursing facilities, providing coverage for uninsured New Yorkers through Family Health Plus, providing Medicaid coverage for immigrants, halting the abusive payment practices of HMOs, ensuring fair payment for capital costs for skilled nursing facilities (SNFs) under the Medicare SNF prospective payment system, creating an all-payer Trust Fund for teaching hospitals, gaining funding for health care providers to help them afford the costs of information technology, and finding ways to solve the worsening shortage of health care workers. Senator Clinton demonstrated an excellent knowledge of GNYHA members' priorities and the issues of concern to them, and committed herself to helping the health care community meet the challenges facing them in the future. GNYHA is extremely grateful to Senator Clinton for meeting with its members, and looks forward to working with her to improve and strengthen New York's health care system. ■

## Healthcare Education Project Launches Campaign Urging Funding to Nursing Homes

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ing so they can hire more staff to care for the residents they serve," said GNYHA President Kenneth E. Raske. "To solve staff shortage problems in the long term, we need to work with our partners in gov-

ernment and in the education community to encourage more young people to go into the nursing and nurse aide fields and to make those professions more competitive." ■

### Upcoming GNYHA Meeting

#### HIPAA Workgroup Meeting

**Date:** Tuesday, March 20, 2001 • **Time:** 9:30 a.m.–12:00 noon

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

GNYHA's HIPAA Workgroup will discuss the development of provider notices of privacy practices, related consent forms, and business associate contract language required by the privacy regulations promulgated under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The meeting will also include a review of GNYHA's proposed comments on the privacy regulations to be submitted in light of the fact that U.S. Department of Health and Human Services (HHS) Secretary Tommy Thompson has re-opened the comment period on the regulations. The comment period ends March 30, 2001, and the regulations are currently slated to take effect April 14, 2001, with the compliance date set for April 14, 2003. It is expected, however, that HHS will take time to review the comments submitted. The discussion of provider notices, consent forms, and business associate contract language will be presented by Donna Boswell, a partner with the law firm Hogan & Hartson, who has prepared a number of model HIPAA forms at the request of the American Hospital Association, and Mark Barnes, a partner with Proskauer Rose LLP, who will review necessary modifications to the forms for use in New York State. To register, call Barbara Marino at GNYHA. ■

comparable to U.S. citizens. Only children are eligible for publicly funded coverage, through the State's Child Health Plus program, regardless of their immigration status.

"We urge the State to repeal the current restrictions on the ability of immigrants to obtain access to health insurance through Medicaid and the new Family Health Plus program," said Kenneth E. Raske, President of Greater New York Hos-

pital Association. "The current restrictions have a detrimental impact on the health of our State's immigrants and their families as well as on health care providers, such as not-for-profit and public hospitals that serve all patients regardless of their health insurance status or their ability to pay."

At a March 12 press conference in Albany, the Healthcare Education Project announced the launch of a statewide, grassroots campaign to allow legal immi-

grants to access publicly funded health insurance programs on the same basis as U.S. citizens. The advocacy effort involves direct mail to households throughout the State and a poster and postcard-writing initiative in hospitals and nursing homes as well as among labor unions and religious and community-based groups. The campaign also includes a phone-banking initiative, electronic advocacy through [www.healtheducationproject.org](http://www.healtheducationproject.org) (the Project's Web site), and a series of print advertisements.

Speaking at the press conference, Mark Lewis of the New York Immigration Coalition pointed out that repealing the current restrictions on coverage of legal immigrants would cost the State only \$5 million in the first year and \$33 million by the third year—less than 0.3% of the State's current \$24 billion Medicaid budget. David Rosen, President and Chief Executive Officer of Jamaica Hospital and Chairman of the New York State Coalition of Voluntary Safety Net Hospitals, noted that uninsured patients often end up in emergency rooms for conditions that could have been treated with appropriate primary and preventive care. After being treated for an acute medical problem, these individuals may languish for months or even years in hospital beds because they do not have access to nursing home or rehabilitation services covered under Medicaid. ■

## HOLD THE DATES!

- GNYHA Annual Meeting:  
**April 18, 2001**
- GNYHA Annual Dinner  
and  
Awards Ceremony:  
**June 7, 2001**

## Netcasting Services to Be Made Available to Health Care Institutions

**G**NYHA Ventures, Inc. Telehealth Netcasting Service (TNS) now offers cutting-edge netcasting technology to GNYHA members and their affiliates. Netcasting utilizes the Internet to provide audio and video communication to end-users through their personal computers, representing an improvement over traditional conference calls and video conferences. The medium offers an array of applications for health care institutions, including event broadcasts, clinical training, remote medicine, administrative training initiatives, and more.

GNYHA Ventures is a wholly owned, for-profit subsidiary of GNYHA.

TNS has the capability and expertise to produce and send a netcast from multiple locations to an unlimited number of participants virtually anywhere in the world. GNYHA Ventures has produced thousands of live and archival netcasts for a variety of business purposes, thereby developing a unique expertise in this arena. TNS will be

holding a demonstration of the technology on April 6, 2001, from 2:00 to 4:00 p.m. in the GNYHA Conference Center at 555 West 57th Street, 15th floor. For more information, contact Larry Brooks at (212) 258-5385. ■

### A R O U N D

On February 26, 2001, the Board of Directors of the Nassau Health Care Corporation voted unanimously to appoint **Richard B. Turan** to a three-year term as President and Chief Executive Officer. The Nassau Health Care Corporation includes Nassau University Medical Center and A. Holly Patterson Extended Care Facility. The Board had announced the interim appointment of Mr. Turan to this position in December 2000. Mr. Turan served previously as President and Chief Executive Officer of the Long Island Forum for Technology, and for 20 years was President and Chief Executive officer of Briarcliffe College in Bethpage, New York. • **Gerald D. Fischbach, M.D.**, was named Columbia University's Vice President for Health and Biomedical Sciences, Dean of the Faculty of Health Sciences, and Dean of the Faculty of Medicine. Before coming to Columbia, Dr. Fischbach was Director of the National Institute of Neurological Disorders and Stroke at the National Institutes of Health (NIH). Dr. Fischbach replaces **Herbert Pardes, M.D.**, who left Columbia in December 1999 to become President and Chief Executive Officer of New York-Presbyterian Hospital. ■

# Federal Funding Available for Substance Abuse and Mental Health Programs

The Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) has published a comprehensive list of anticipated SAMHSA funding opportunities for Federal fiscal year (FY) 2001. The agency projects a total funding level of over \$200 million in FY 2001 for 38 programs related to substance abuse and mental health services.

The list provides information about SAMHSA's programmatic priorities and can be obtained at SAMHSA's Web site, [www.samhsa.gov/grants/grants.html](http://www.samhsa.gov/grants/grants.html). However, notices of funding availability are not official until they are published in the *Federal Register*. To confirm announcements about SAMHSA grant funding, please refer to the SAMHSA Web site and to the *Federal Register*, at [www.access.gpo.gov/su\\_docs/aces/fr-cont.html](http://www.access.gpo.gov/su_docs/aces/fr-cont.html).

The following SAMHSA grant programs, totaling over \$60 million in funding, have already been announced in the *Federal Register*. Applications are due between April 26 and May 21, 2001:

- Substance Abuse Treatment Systems for

Racial/Ethnic Minority Populations

- Substance Abuse Treatment Systems for Homeless Persons
- Substance Abuse Treatment Systems for Youth
- Expansion for Substance Abuse Treatment and HIV/AIDS Services
- Mentoring and Family Strengthening Programs for High-Risk Youth
- Community Action Grants for Service Systems Change
- Community-Initiated Prevention Intervention
- Substance Abuse Recovery Community

Organizations

- Community-Based Practice/Research Collaboratives

Program announcements and Guidance for Applicants (GFA) material for all of the SAMHSA grant programs may also be downloaded at the SAMHSA Web site, [www.samhsa.gov/grants/grants.html](http://www.samhsa.gov/grants/grants.html). For information about applicant eligibility and funding goals, please call the SAMHSA contact person listed in each program announcement. For information about general grants management issues, call the SAMHSA Division of Grants Management at (301) 443-3958. ■

## DOH Addresses Questions Concerning Home Care Advance Beneficiary Notices

The New York State Department of Health (DOH) has provided important clarification regarding a new U.S. Health Care Financing Administration rule requiring agencies to provide advance beneficiary notices (ABNs) to beneficiaries

when Medicare is not expected to pay for needed services. Home health agencies were concerned about possible cash flow disruptions as a result of the rule's implementation on March 1, 2001, but DOH's clarification—which was a direct response to those concerns—should alleviate much of the rule's expected impact on cash flow.

Sparking the concern among area home health providers was uncertainty over whether they would have to submit a "demand" bill to and receive a response from Medicare prior to submitting a Medicaid claim in instances where the beneficiary is dually eligible for Medicare and Medicaid and the provider has determined that Medicare is not likely to cover the services needed by the beneficiary. In telephone conversations with GNYHA, DOH officials have confirmed that, in such instances, after providing a beneficiary with an ABN, home health agencies may bill Medicaid (with a "zero fill" in the "Medicare Approved" field on their claim) before a demand bill is submitted to Medicare. GNYHA anticipates receiving further written clarification from DOH on this matter, and will ensure that this information is provided to all members. ■

### Legislative Digest

In recent weeks, Governor Pataki, the New York State Assembly, and the New York State Senate have taken action on the following health-related pieces of legislation:

**Federal Medicaid Matching Funds for NYS:** The Assembly Ways and Means Committee reported favorably on A.5547, sponsored by Assemblywoman Patricia Eddington (D). The bill would allow New York State to receive Federal Medicaid matching funds for providing medical treatment to women with incomes up to 250% of the poverty level who have been diagnosed with breast and cervical cancer through the Centers for Disease Control Prevention and Early Detection Program. GNYHA supports this legislation. • **Amended Definition of Covered Services:** The Assembly Health Committee reported favorably on A.4295, sponsored by Assemblyman Robert Sweeney (D). The bill would amend the definition of "covered health services" under the Child Health Plus program to include pre-hospital emergency medical services provided by an ambulance service. GNYHA supports this legislation. • **Public Information:** The Assembly Health Committee reported favorably on A.2581, sponsored by Assemblyman Richard Gottfried (D). The bill would require hospitals to provide the public with information including ratios of licensed and unlicensed personnel to the number of patients, adverse patient incidents, and complaints filed with accrediting and regulatory agencies. It also restricts the use of the term "nurse" to a registered nurse or a licensed practical nurse, so patients are informed of the status of the person delivering care. While GNYHA is concerned with the worsening shortage of nurses, this bill does not address staffing issues such as experience, supervision, and patient care needs. ■