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Skyline news

REPORTING ON NEW YORK'S HEALTH CARE NEWS

CMS Rejects NY's SCHIP Expansion

On September 7, 2007, the Centers for Medicare & Medicaid Services (CMS) confoundingly rejected New York State's waiver application to expand its children's health insurance program to 70,000 uninsured individuals. A joint Federal-state collaborative, the State Children's Health Insurance Program (SCHIP), currently covers children up to 250% of the Federal pover-

ty level (FPL) in New York and 350% in New Jersey. New York State passed a law earlier this year to increase coverage up to 400%.

The decision by the Administration came on the heels of an announcement in mid-August of new national policy that would dramatically restrict states' efforts to expand SCHIP programs. As many as eighteen states may lose SCHIP funding as a result of these

rules unless Congress intervenes.

New Requirements: Most notably, the new directive will require that States enroll 95% of children below 200% FPL who are eligible for SCHIP or Medicaid before they can expand beyond 200% FPL. New York State currently covers 88% of eligible children under 200% FPL. Additionally, CMS will now require

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Medical Malpractice Liability Task Force Meets

On September 4, 2007, the New York State Medical Malpractice Liability Task Force held its first meeting, which took place at the State Insurance Department offices in Lower Manhattan. The Task Force, of which GNYHA is a member, was appointed by State Insurance Department Superintendent Eric R. Dinallo at the request of Governor Eliot Spitzer. The Task Force, chaired by Superintendent Dinallo, is an advisory body to the State, and its goal, according to the work plan released at the first meeting, "is to identify the main reasons for the high cost of medical malpractice insurance, develop proposed solutions, and seek agreement among the different stakeholders on an effective reform program." At the first meeting, after initial statements by the Chair and Vice-Chair—Department of Health Commissioner Richard F. Daines, M.D.—Task Force members were asked to briefly discuss the issues they believed the Task Force should address.

In addition, Susan Donnellan, Deputy Insurance Superintendent for Policy, outlined the issues to be discussed at future meetings, including the financial condition of medical malpractice insurance companies and the Medical Malpractice Insurance Program; the impact medical malpractice insurance costs have on access to care and clinical decision-making; which specialties and sub-specialties have the largest amount of liability

and what types of adverse outcomes produce the most liability; what processes are currently in place to reduce adverse outcomes at the State and provider levels; if the current tort system should be reformed; and other issues. At the same time, the State Insurance Department will be collecting data from insurance filings as well as data provided by Task Force members and others

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GNYHA, 1199 SEIU Launch Infection Prevention Initiative

On August 29, 2007, GNYHA, 1199 SEIU/United Healthcare Workers East, and the 1199 SEIU Training and Employment Funds (TEF) launched the Infection Prevention Coach (IPC) Program—a new initiative to assist hospitals in eliminating hospital-acquired infections

(HAI) by improving infection prevention practices. More than 100 hospital managers and union officers were present at the kick-off meeting, where a detailed orientation to the program and curriculum was provided.

The goal of the IPC Program is to teach managers and staff in selected hospital departments or units methods for eliminat-

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NYP Hosts GNYHA “Resident for a Day” Event

On September 12, 2007, New York-Presbyterian (NYP) Hospital hosted GNYHA’s “Resident for a Day,” a program developed to allow New York State legislators to meet physician residents at teaching hospitals with the goal of raising awareness of the importance of graduate medical education (GME) to the provision of quality health care in the community. *Skyline News* reported on the first “Resident for a Day” visit to Jamaica Hospital in the September 3, 2007, issue.

Assemblyman Micah Kellner (D-Manhattan) and Susan Chamlin, Community Liaison for Senator Liz Krueger (D-Manhattan), were both welcomed to NYP’s Weill Cornell campus, where a team of hospital administrators, including Dr. Richard S. Liebowitz, Vice President, Medical Affairs; Helen Morik, Vice President, Government and Commu-

nity Affairs; and GNYHA staff briefed them on graduate medical education and its importance to NYP. Assemblyman Kellner and Ms. Chamlin then toured the facility, sitting in on Grand Rounds—didactic “in class” training that teaches residents new information and enhances clinical reasoning skills—and then observing a resident perform an interventional cardiac diagnostic procedure under the guidance of a supervising physician. In keeping with the Associa-

tion of American Medical College’s “Project Medical Education,” after which the “Resident for a Day” program is modeled, Assemblyman Kellner and Ms. Chamlin were given white coats and certificates of completion as honorary physician residents, mimicking the “White Coat Ceremony” for medical school graduates.

Given the focus on GME reform in Albany, GNYHA and its members are pleased to offer State legislators the opportunity to see firsthand the inextricable link between physician training and patient care through the “Resident for a Day” program. In the process, GNYHA hopes that each legislator gains a better understanding of why New York State must continue to support the critical mission of New York’s teaching hospitals and their graduate medical education programs. Over the upcoming weeks and months, additional “Resident for a Day” visits will be held at teaching hospitals around the State. ■



RICHARD LOBEL PHOTOGRAPHY

Kellner, Chamlin “graduate” as NYP “Residents for a Day”

DOH, TAC Move Ahead with HAI Reporting

The New York State Department of Health (DOH) Healthcare Associated Infection (HAI) Reporting Technical Advisory Committee (TAC) met last week to assist DOH with implementation of the State’s HAI reporting law. HAI, enacted in 2005 in response to calls for greater transparency with respect to infection rates, requires hospitals to report to DOH select hospital acquired infections. DOH established the TAC to advise it with respect to implementation of the law, which was unanimously endorsed and supported by GNYHA’s Board of Governors.

Using the Centers for Disease Control and Prevention’s (CDC’s) National Healthcare Safety Network as the data-entry platform, DOH has been identifying opportunities to use the HAI data to change practice and develop data definitions that will become part of the NHSN report card. As a result, the reporting system developed by DOH in consultation with its TAC is based on scientific evidence, includes a system for validating data to ensure accuracy of the reporting, and pro-

vides for risk adjustment. Moving forward, DOH will make the data collected publicly available and will use the data to design programs to decrease infections. Recognizing the extensive development process, DOH and the TAC indicate that these efforts will result in one of the most accurate reporting systems in the country, perhaps becoming a national

model for public reporting of health care-associated infections. The first round of reporting will include health care-associated infections related to central lines and to surgical site infections for patients who have undergone a colon resection or coronary artery bypass graft surgery. DOH will soon add data collection on infections related to orthopedic surgery. For additional information about the HAI law and related reporting requirements, contact Terri Straub at GNYHA. ■

DOH Appoints New Board of Trustees for Kaleida-ECMC

On September 12, 2007, New York State Health Commissioner Richard Daines, M.D., announced the appointment of a new board of trustees for the entity resulting from the merger of Kaleida Health Systems and Erie County Medical Center (ECMC). The merger originated from the Commission on Health Care Facilities in the 21st Century final report, which authorizes the health commissioner to take “all steps necessary” to implement the

recommendations. Calling the joint governance system a “major milestone” in the quest to “right-size” health care in Western New York, Dr. Daines noted that he and his staff will continue to support and advise the board, which includes representatives from Kaleida, ECMC, the University of Buffalo Medical School, and community leaders. To read the press release and a list of the board appointees, go to http://www.health.state.ny.us/press/releases/2007/2007-09-12_kaleida_board_merger.htm. ■

September is National Preparedness Month

The Federal government has designated September as “National Preparedness Month.” Sponsored by the U.S. Department of Homeland Security (DHS), the campaign aims to increase public awareness about the importance of preparing for emergencies and to encourage Americans to take simple steps to prepare for emergencies in their homes, businesses, and schools. **GNYHA Activities:** The GNYHA “Emergency Preparedness Resource Center,” found at www.gnyha.org, provides educational information, resources, and tools from

GNYHA and other sources to assist providers and their communities in their preparedness and response activities. As part of continuing efforts to assist members in preparing for and responding to emergencies, GNYHA offers regular workgroup meetings, training, and briefings. The next session, entitled “Implementing HICS IV within the NIMS Framework” will take place on October 1, 2007 (see briefing box). For additional information on GNYHA’s emergency preparedness activities, please contact Doris R. Varlese at GNYHA. ■

Public Health Council Discusses ASCs

At its meeting on September 7, 2007, the Public Health Council (PHC) continued to discuss and review freestanding ambulatory surgery center (ASC) projects. At the meeting, Thomas Conway, General Counsel of the New York State Department of Health (DOH), provided a legal opinion on the number of votes needed by the PHC to approve a project. Mr. Conway’s report responded to concerns expressed at the May 2007 PHC meeting. Certain members were concerned that some freestanding ASC projects had not received enough affirmative votes to approve the projects, and therefore the projects were not able to move forward. Mr. Conway indicated that the New York State General Construction law requires that, for voting purposes, the number of members that constitute a majority of the PHC is based upon the number of members of the full PHC, and that the PHC is prohibited from revising its bylaws to permit a smaller number to constitute a majority.

Vote on Project: The PHC approved the establishment of the Brooklyn Endoscopy Surgery Center, a freestanding ASC, for a five-year period (a “five year limited life”). The applicant will be required to seek permanent approval from the PHC in five years, and at that time will be required to provide information regarding the source of the Center’s patients. By reviewing case data after five years, DOH will obtain more definitive information regarding the source of cases—whether the majority of the procedures performed in the ASC would have been performed in private physician offices or the ASC is taking cases that would be performed in hospitals. DOH staff indicated that it plans to attach the “five year limited life” contingency to all future freestanding ASC applications that are recommended for approval.

GNYHA Position: GNYHA has consistently called for a moratorium on new freestanding ASCs when a hospital takes the position that the freestanding ambulatory surgery center will have an adverse financial or operational impact on the hospital. ■

GNYHA Member Briefings

MS-DRG Coding Sessions Available Online

In preparation for the October 1, 2007, implementation of Medicare’s change to MS-DRGs for inpatient coding, GNYHA hosted four half-day coding sessions for more than 400 member hospital coders and other Health Information Management professionals. For those unable to attend, there will be an encore presentation on the GNYHA Web site. For information concerning the Web version, contact Stewart Presser at presser@gnyha.org.

Implementing HICS IV within the NIMS Framework

Date: Monday, October 1, 2007 • **Time:** 2:00 p.m. – 5:00 p.m.
Location: GNYHA Conference Center, 555 West 57th Street, Suite 1500

GNYHA will be holding a briefing session entitled “Implementing HICS IV within the NIMS Framework.” The briefing session will be taught by representatives from the Yale New Haven Center for Emergency Preparedness and Disaster Response with funding from the New York City Department of Health and Mental Hygiene. Representatives from two GNYHA member hospitals will discuss how they have implemented the National Incident Management System (NIMS) and the updated Hospital Incident Command System (HICS IV) in their institutions. The program is designed for representatives from GNYHA member facilities responsible for emergency management and disaster response. To register, email Laurie Sangirardi at sangirardi@gnyha.org.

Subtle Influences: A Discussion on Conflicts of Interest in Healthcare

Date: Tuesday, October 9, 2007 • **Time:** 10:00 am – 11:30 pm
Location: New York University Medical Center, Farkas Auditorium, Alumni Hall

This conference, co-hosted by GNYHA and the New York University Medical Center, will focus on physician-vendor relationships and the impact they may have, even subtly, on treatment decisions and potential conflicts of interests. The event is open to all GNYHA members, and affiliated physicians are encouraged to attend. For more information contact Deborah Brown and to register contact Asali Daniel (adaniel@gnyha.org) at GNYHA.

Medical Malpractice Liability Task Force Meets *continued from page 1*

in order to make sure that accurate data guide the Task Force’s deliberations. Governor Spitzer has requested that the Task Force submit recommendations to him by the end of the year.

GNYHA Activities: GNYHA has been meeting extensively with its members, insurers, consumer representatives, physician groups, specialty societies, and medical malpractice lawyers—both defense and plaintiff—to help foster a better understanding among all

stakeholders of the significant impact medical malpractice insurance costs have on hospitals and their affiliated physicians, as well as to make sure that GNYHA plays as constructive a role as possible in its capacity as a member of the Dinallo Task Force. GNYHA also has worked with the Medical Society of the State of New York and other provider groups on a joint paper for the Task Force’s use. Copies will soon be available on GNYHA’s Web site, www.gnyha.org. ■

OMH Commissioner to Headline Symposium

Michael Hogan, Ph.D., Commissioner of the New York State Office of Mental Health, will be the keynote speaker at the *Eighteenth Annual Symposium on Health Care Services: Research and Practice* sponsored by GNYHA Foundation-United Hospital Fund. Commissioner Hogan will speak regarding *The Challenge of Mental Health: Options for Service Delivery and Management of Costs*, and will be joined at this session by Sherry Glied, Ph.D., Chairperson of the Mailman School of Public Health at Columbia University. The 2007 symposium will be held on October 17, 2007, from 9:00

a.m. to 3 p.m. at the CUNY Graduate School and University Center, 365 Fifth Avenue (between 34th and 35th Streets) in New York City. The entire program is available on the GNYHA Web site at www.gnyha.org. Those wishing to attend may register online by going to www.uhfnyc.org. Should you have any questions about the symposium, please contact Tim Johnson at GNYHA.

Hogan Meets with GNYHA: In addition to headlining the Symposium, the Commissioner generously made time to attend GNYHA's Behavioral Health Services Committee August meeting. At the meeting, the Commissioner,

along with OMH Medical Director Lloyd Sederer, M.D., discussed opportunities for incremental modifications to the system to improve access to care and quality of services for mental health service recipients through regulatory and fiscal reforms in the short term; for the long term, Dr. Hogan recognized that reforms will require appropriate transitions so as not to diminish service capacity or quality. GNYHA members had the opportunity to share their experiences and provide OMH leadership with recommendations as it moves forward with necessary and substantial reform efforts. ■

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states to impose a one-year waiting period for children above 250% FPL between the time an otherwise eligible child loses private coverage and the time they can be enrolled in the program—with no exceptions even for children whose parents have died or lost their jobs. Failing to recognize that employer-sponsored coverage has been declining for reasons other than the availability of public coverage for children, a third restriction would require States to forego expansions unless there has been less than a 2% decline in employer-sponsored insurance. The barriers to care created by these restrictions raise substantial public health concerns, given the importance of vaccines and other preventive services essential to childhood development.

Congressional Response: Congress has been aggressively fighting this new directive through letters to the Administration and press conferences held around the country. Congresswoman Nita Lowey (D-NY) has spearheaded a delegation letter to CMS

requesting that CMS immediately rescind the new requirements (all 25 Democratic members from New York signed on). New York Republicans have also expressed concerns with their own letters to CMS. In the other chamber, Senate lawmakers recently sent a "Dear Colleague" letter to President Bush with a similar message; 44 Senators signed on in support of protecting this critical program. Additionally, Senator Kennedy (D-MA) has introduced legislation (S. 2049) that would block the Directive's implementation; New York State has concerns that it would not overturn the recent waiver denial by CMS.

GNYHA has been working with the Governor's and Mayor's offices to weigh in on this important issue. Gov. Spitzer has been extremely vocal, threatening a lawsuit over CMS's new directive and joining forces with Governor Arnold Schwarzenegger (R-CA) in a letter to President Bush since New York and California represent nearly a quarter of the total number of children in SCHIP. As a next

step, Gov. Spitzer is convening a delegation staff briefing on September 17, 2007, in Washington. GNYHA will continue to support the Governor's office in advocating for a legislative solution to ensure that New York can continue with its planned SCHIP expansion. ■

Infection Prevention Initiative

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ing and preventing hospital-associated infections through hand hygiene, environmental cleanliness, and immunizations. The program provides frontline staff with the skills needed to facilitate communication, teamwork, and awareness of various issues such as infection prevention, patient safety, and the environment of care.

Using the concept and framework of the GNYHA Quality Coach Fellowship (QCF) program—which teaches frontline staff about their impact on patient outcomes—this new program focuses on training frontline staff to coach peers on the important roles staff play in eliminating hospital-associated infections and saving lives. Approximately 30 hospitals are participating in this initiative; GNYHA estimates that more than 500 hospital staff members will be trained over the next several months, with a cross-section of hospital staff attending two-day training sessions to become Infection Prevention Coaches. For additional information, contact Terri Straub or Julie Mathew, both at GNYHA. ■

The Continuing Care Leadership Coalition's 2007 Annual Meeting is scheduled for Wednesday, September 26, 2007, at The Hilton New York Hotel. This year's annual meeting will focus on innovation and quality in long term care. Speakers will include noted author Dr. Atul Gawande, New York State Senators Hemp Hannon and Marty Golden, Deputy Commissioner of Health Mark Kissinger, and 2007 CCLC Leadership Awardee, the Honorable Bob Kerrey, former U.S. Senator and President of the New School for Social Research. For more information or to register, please call Jenifer Fergusson at (212) 258-5331. ■

REGISTER FOR CCLC'S 2007 ANNUAL MEETING