Hospitals Argue Against Weakening Medical Malpractice Laws

On Wednesday, March 7, Carl Schiessl, CHA's Director of Regulatory Advocacy, testified before the Judiciary Committee in strong opposition to SB 243, An Act Concerning Certificates Of Merit. The bill seeks to significantly change current medical malpractice law. The bill was filed for and supported by the plaintiffs' bar. A similar bill had been filed during the last two legislative sessions.

SB 243 seeks to undo a 2005 law that discourages the filing of baseless lawsuits against healthcare providers by requiring a plaintiff's counsel to obtain, at the outset of a case, an opinion from a similar healthcare provider indicating there is evidence that the standard of care has been breached. This opinion is documented by a “good faith certificate.” SB 243 weakens this process, and may cause providers to incur increased costs defending otherwise meritless claims, ultimately diverting hospital personnel, resources, and funds away from their mission to provide quality healthcare.

Others providing testimony included Saint Mary’s Hospital, The Charlotte Hungerford Hospital, Norwalk Hospital, University of Connecticut Health Center, Western Connecticut Health Network, Hartford HealthCare, Middlesex Hospital, Eastern Connecticut Health Network, Saint Francis Hospital and Medical Center, Saint Vincent’s Health Services, Yale New Haven Health System, The Stamford Hospital, Hospital of Saint Raphael, several physician specialty groups, the Connecticut State Medical Society, the Connecticut Society for Healthcare Risk Management, the Connecticut College of Emergency Physicians (testimony presented by Gregory Shangold, MD, co-chairman of the CHA Emergency Department Directors Meeting Group), the Connecticut Business and Industry Association (CBIA), as well as other national organizations.

Public Health and General Law Committees Holding Public Hearings

Hospitals Provide Key Testimony

Also on Wednesday, March 7, Connecticut hospitals testified on a number of important hospital and healthcare-related bills before the Public Health Committee. This was the first of two public hearings scheduled for bills raised by the Committee during the 2012 Legislative Session. Of interest to Connecticut hospitals was testimony by Jim Iacobellis, CHA's Senior Vice President, Government and Regulatory Affairs, in support of SB 275, An Act Concerning Workplace Violence Prevention And Reporting. This CHA-sponsored bill seeks to further clarify Public Act 11-175, An Act Concerning Workplace Violence Prevention And Response In Health Care Settings.

Specifically, SB 275 establishes a clear threshold for notifying police when an incident occurs, based on the harm that is suffered by a workforce member. The changes sought in SB 275 were developed and are supported by a CHA member workgroup on workplace violence, with input from a variety of hospital employees from across the state.

In addition to providing testimony in support of SB 275, CHA provided testimony on a number of other bills of importance to hospitals. Specifically, testimony was provided in support of HB 5038, An Act Implementing The Governor's Budget Recommendations Concerning An All-Payer Claims Database Program, a bill that would establish a program to incorporate an all-payer claims database (APCD) as part of routine health data collection and reporting in Connecticut. CHA also provided testimony in opposition to HB 5321, An Act Concerning The Office Of Health Care Access And The Certificate Of Need Process. Lastly, testimony was provided in support of HB 5333, An Act Concerning Organ And Tissue Donation Awareness. The bill seeks to increase education and awareness of organ and tissue donation. In its testimony, CHA requested to include hospital representation on the advisory council on organ and tissue donation education and awareness.
On Tuesday, March 6, CHA provided testimony on three bills before the General Law Committee. Of particular note was testimony from Karen Buckley-Bates, CHA's Director of Government Relations, in support of HB 5329, An Act Concerning The Use Of Telepharmacy By Hospitals. HB 5329, a CHA-sponsored bill, would permit all of Connecticut's hospitals to participate in the telepharmacy initiative, originally established as a pilot program in 2011, on a permanent basis, provided the hospitals meet the same quality standards outlined in the original pilot and are in compliance with Department of Consumer Protection (DCP) pharmacy regulations. In addition to CHA's testimony in support of HB 5329, Lorraine Lee, Director of Pharmacy at Yale-New Haven Hospital, testified in support of the bill.

CHA also provided testimony to the General Law Committee with qualified support of SB 252, An Act Authorizing Flavoring Agents For Prescription Products. CHA additionally provided testimony in support of, but sought clarification of, one section of SB 315, An Act Prohibiting The Unnecessary Collection Of Social Security Numbers. The General Law Committee must take action on all of its Committee bills by March 20.

Richard D'Aquila Named President and Chief Operating Officer at Yale-New Haven Hospital

Richard D'Aquila, who has served as the executive vice president and chief operating officer at Yale-New Haven Hospital (YNHH) for the past six years, has been appointed president of YNHH. He will continue in his role as the hospital's chief operating officer (COO).

Marna P. Borgstrom, YNHH president and CEO since 2005, will remain YNHH's chief executive officer (CEO), as well as president and CEO of Yale New Haven Health System.

The changes in the two senior leadership roles were made to strengthen the role of the president and help prepare Yale-New Haven Hospital for a rapidly changing future.

"As the challenges associated with healthcare reform continue to consume more time and resources, it is important to make the Office of the President even more effective to support the continued strong performance of the hospital," said Ms. Borgstrom. "Rick and I have worked very collaboratively in an Office of the President model in which the CEO and COO act in concert on behalf of the organization, so this new role is a natural extension of that philosophy."

The change allows both Ms. Borgstrom and Mr. D'Aquila to focus on areas vital to success as both a hospital and as a health system.

Mr. D'Aquila will continue to drive Yale-New Haven Hospital's vision to be a regional and national referral center with multiple patient care specialties ranked among the best in the country. Ms. Borgstrom will focus more heavily on broad strategies to strengthen the system and enhance value, as well as develop and implement a thoughtful approach to federal healthcare reform.

Register Now for CHA's 2012 Patient Safety Summit

Donald Berwick, MD, to Headline

Reserve your seat now for CHA's 2012 Patient Safety Summit, to be held on March 23, 2012, from 8:30 a.m. - 4:00 p.m. Donald Berwick, MD, former Administrator of the Centers for Medicare & Medicaid Services (CMS) and one of the country's foremost advocates for patient-centered high-quality healthcare, will provide the keynote address.

While leading CMS, Dr. Berwick initiated Partnership for Patients, a national project designed to reduce preventable inpatient harm by 40 percent and readmissions by 20 percent over a three-year period. In Connecticut, the Partnership for Patients initiative is provided to acute care hospitals through a partnership between CHA and the Health Research and Educational Trust (HRET).

This is the tenth anniversary of CHA’s annual Patient Safety Summit. This year’s program will officially mark the start of CHA’s statewide initiative to eliminate all-cause preventable harm using high reliability science to create a culture of safety.

For more information about CHA’s 2012 Patient Safety Summit, click here. To register, click here.

CHA Awards – Deadline in One Week

The deadline for three prestigious CHA awards is next Friday, March 16, 2012.

The 2012 John D. Thompson Award: A Commemorative Award for Excellence in the Delivery of Healthcare Through the Use of Data recognizes outstanding achievement in patient care quality initiatives. It is sponsored by CHA's education and research affiliate, the Connecticut Healthcare Research and Education Foundation (CHREF). All CHA acute care and other hospital members are encouraged to
apply.

The 2012 Connecticut’s Hospital Community Service Award, now in its 20th year, is an excellent opportunity for recognition of outstanding achievements in community service. The award is sponsored jointly by CHA and the Connecticut Department of Public Health (DPH).

CHA’s Healthcare Heroes Awards celebrate the invaluable contributions of healthcare workers, both to their field and to the community at large. CHA is seeking nominations from both direct patient care and non-clinical areas of CHA member facilities. Ten healthcare heroes, selected by a panel of judges, will be awarded a $100 cash prize.

The awards will be given at the 94th Annual Meeting on June 27, 2012.

Education Update

CHA Regulatory Series–Wage and Hour Law Review
March 12, 2012, 9:00 a.m. - 2:30 p.m.

This practical and informative program, a perennial favorite of members, will clarify the laws and address real or hypothetical participant questions on regulatory interpretation to ensure wage and hour compliance. The program will serve as a refresher for those generally familiar with wage and hour compliance issues—and as an introduction to key issues for those with new responsibilities in this area.

This program is designed to provide participants with a working knowledge of key provisions of the law:

- Making the determination of exempt versus non-exempt positions.
- Developing policies related to defining, counting, calculating, and recording hours worked to ensure a fair and consistent system. This will include a discussion of punching in early/late, compensatory time, overtime, travel time, on call, etc.
- Managing non-traditional employment situations e.g., temporary employees, independent contractors, telecommuters, etc.

For more information, click here. To register, click here.

Eliminating Preventable Harm Through FMEA
March 19, 2012, 8:30 a.m. - 3:30 p.m.

Failure mode and effects analysis (FMEA) is a proven tool in today’s proactive patient safety improvement initiatives. Beyond meeting Joint Commission standards, FMEA has turned out to be a very effective process improvement strategy. In this workshop, participants learn how to harness the power and benefits of FMEA for their organization by concentrating efforts on identifying and addressing potential high-risk processes, and avoiding common pitfalls.

For more information, click here. To register, click here.

Leaping From Staff to Management: The Next Steps
March 20, 2012, 8:30 a.m. - 3:30 p.m.

Whether recently assigned to the role of manager or a seasoned veteran, it is important to determine how well your problem-solving and decision-making skills are keeping pace with the ever-changing healthcare environment. For those who attended the first program – “Leaping from Staff to Management: You’re a Manager – Now What?” – in June 2011 or January 2012, this follow-up course is ideal for all managers who want to continually improve their skills.

For more information, click here. To register, click here.

From Difficult to Dynamic: Engaging Our Most Challenging Employees!
March 26, 2012  8:30 a.m. - 2:30 p.m.

Managing staff to achieve organizational goals is a basic responsibility for all leaders. Personality and communication differences can make this a difficult task and consume hours of your time and energy. This highly interactive program, based on best practices in leadership theory, will present communication methods and tools for navigating the difficult maze of different personalities and communication styles.

For more information, click here. To register, click here.