

APPROVED MINUTES

MEETING OF:

PATIENT SAFETY AUTHORITY

ZOOM MEETING

TIME: 1:17 P.M.

DATE: APRIL 27, 2023

Patient Safety Authority**April 27, 2023**

1
2 Nirmal Joshi, M.D., Chair
3 Daniel Glunk, M.D.
4 William Wenner, M.D.
5 Eric Weitz, Esquire
6 Kathleen Law, M.D.
7 Veronica Richards, Esquire
8 Amelia Paré, M.D.
9 Lynn Kornblau, Esquire

10
11 Also Present:

12
13 Caitlyn Allen, Director of Engagement & Publications
14 Tony Arnold, Business Operations Manager
15 Michelle Bell, Director of Outreach and Education
16 Amanda Bennett, Infection Preventionist
17 Shirley Dominick, Patient Safety Liaison
18 Kelly Gipson, Project Manager
19 Regina Hoffman, Executive Director
20 Becky Jones, Director of Data Science and Research
21 Shawn Kepner, Data Analyst
22 Rick Kundravi, Senior Patient Safety Liaison
23 Christopher Mamrol, Senior Patient Safety Liaison
24 Karen McKinnon-Lipsett, Administrative Specialist
25 Shelly Mixell, Administrative Specialist
26 Melanie Motts, Senior Patient Safety Liaison
27 Howard Newstadt, Financial Director and CIO
28 Jessica Oaks, Program Manager
29 Jackie Peck, Communication Specialist
30 Cathy Reynolds, Senior Patient Safety Liaison
31 Sunny Ro, Patient Safety Analyst
32 Christine Sanchez, Patient Safety Analyst
33 Megan Shetterly, Senior Patient Safety Liaison
34 Amber Sizemore, Esquire, Attorney for PSA
35 Krista Sorvino, Communications Specialist
36 Heather Stone, Administrative Specialist
37 Matthew Taylor, Patient Safety Analyst
38 Alex Ulsh, IT Systems Administrator
39 Robert Yonash, Senior Patient Safety Liaison
40 Brian Bachowski, UPMC

1 Maureen Barnes, Cassatt RRG
2 Angela Bertugli, Highmark Health
3 Phyllis Blanton, Gainwell
4 Angela Boeteng, Wellspan
5 Kristin Brady, Bradford Regional Medical Center
6 Jolene Calla, HAP
7 John Duggan, Select Medical
8 Eileen Jaskuta, Mainline Health
9 Benjamin Lego, Wellspan
10 Amy Meehan, Cassatt RRG
11 Travis Mitchell, Wellspan
12 Michael Mohr, Penn State Health
13 Robin Nagele (Post & Schell, Esqs.)
14 Mary Ellen Nepps, Office of General Counsel,
15 University of Pennsylvania
16 Patrick O'Rourke, Health Cmte./House Democratic Caucus
17 Lisa Painter, UPMC
18 Lisa Rodebaugh
19 Kristin Rogers, Chart Risk Retention Group
20 Robert Shipp, HAP
21 Jennifer Strayer, Wellspan
22 Chaton Turner, UPMC
23 David Wenner, Pennlive Journalist
24 Byron Aldinger, York Steno Reporter
25 214-529-9483
26 717-580-8241
27 717-798-2542



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2
3 **Executive Session**

4 April 27, 2023 at 2:30 PM ET

5 Location: Zoom (Virtual Meeting)

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7 Consideration of personnel matters, consultation with legal counsel, and
8 engaging in non-deliberative informational updates regarding various
9 actions and matters which have been approved at previous public
10 meetings.

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12 **Public Meeting**

13 April 27, 2023 at 1:00 PM ET

14 Location: Zoom (Virtual Meeting)

15 **Agenda**

- 16
17 I. Call to Order
18
19 II. Roll Call
20
21 III. Approval of the March 16, 2023 Meeting Minutes
22
23 IV. Report of Board Chair
24
25 V. Executive Director Report
26
27 VI. Old Business
28 a. Workplan to Request Investigations
29 i. Modified Workplan Proposal
30 ii. Public Comment
31 iii. Discussion
32
33 VII. New Business
34 a. Annual Report approval
35
36 VIII. Public Comment
37
38 IX. Adjournment

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2 PATIENT SAFETY AUTHORITY

3 The regularly scheduled meeting of the Patient Safety Authority
4 was held via a Zoom call on Thursday, April 27, 2023. Nirmal
5 Joshi, M.D., Chair, called the meeting to order at 1:17 p.m.

6 ***

7 A motion to approve the minutes of March 16, 2023, carried
8 unanimously.

9 ***

10 Report of Board Chair

11 [Dr. Joshi, Chair, advised that his report would be restricted
12 to the Old Business portion of the meeting.]

13 ***

14 Executive Director Report

15 [Regina Hoffman, Executive Director, began her report by
16 advising of the new interactive version of the Reporting
17 Decision Tree which is now available on the public website, and
18 she invited all patient safety officers to review it, and to
19 reach out to respective patient safety advisors with questions.
20 She also advised that there is a list of upcoming educational
21 opportunities on the PSA public website, and went on to advise
22 that the Patient Safety Officer Basics Training will take place
23 in May. Ms. Hoffman advised that the Data Science Team

1 conducted an analysis on neonatal complications, which found a
2 92 percent increase in the number of serious events reported as
3 neonatal complications between 2018 and 2022. The team
4 performed a preliminary analysis of approximately 160 serious
5 event reports to begin identifying variables associated with
6 those events, however, many of the reports did not contain
7 sufficient information to be able to identify those variables.
8 She advised that as a result of the work plan submitted and
9 approved in December, PSA is seeking additional information from
10 facilities, which would allow the identification of actions that
11 might be taken to prevent recurrence across the Commonwealth.
12 Ms. Hoffman advised that no anonymous reports or complaints have
13 been received since the last Board meeting. Ms. Hoffman
14 concluded her report by advising that as of April 3, the
15 Treasury invested cash balance in the trust fund is
16 \$7,999,231.04, which is adequate to provide for cash activities
17 through the end of the fiscal year, and into the next fiscal
18 year. She also reported that the cash transfers into the trust
19 fund from this year's assessment collections are being
20 received.]

21 ***

22 Old Business

23 [Regina Hoffman, Executive Director, gave an update on the

1 Modified Work Plan Proposal. She recapped the purpose of the
2 work plan, which was to gather additional data related to events
3 so that the Data Science Team could conduct deeper analyses as
4 needed. That data included copies of facility investigations.
5 The purpose would be to allow the Patient Safety Authority to
6 issue more meaningful advisement and recommendations to prevent
7 more patients from being harmed. After notification of the work
8 plan was issued to healthcare facilities, several concerns were
9 raised. Ms. Hoffman advised that as a result, she and a
10 committee of the Board met with some of the stakeholders who
11 were voicing concerns. It was revealed that their primary
12 concern was the potential of losing privileges afforded to them
13 through the Federal Patient Safety Quality Improvement Act and
14 the Pennsylvania Peer Review Protection Act, by providing copies
15 of those investigative documents. As a result, Ms. Hoffman
16 advised that the PSA is considering modifying the approach to
17 issue a supplemental data form to gather pertinent information,
18 instead of asking for copies of the original documents. The
19 work plan was modified to reflect this, and a sample form was
20 included for the Board's reference. Ms. Hoffman advised that
21 there has been feedback from stakeholders related to the
22 information being requested on the form, as well as suggestions
23 of eliminating all of the investigative-type questions, in

1 addition to a suggestion that the PSA form its own patient
2 safety organization which would provide a mechanism for
3 facilities to voluntarily supply additional information if they
4 choose to do so.]

5 [The issue was opened up for public comment, and Robert Shipp,
6 Vice President of Population Health and Clinical Affairs for
7 HAP, discussed the work plan from the hospital perspective. He
8 advised that the hospital community collectively does not agree
9 that the PSA has the legal authority to compel investigative
10 materials be produced. He went on to say that hospitals cannot
11 provide some of this information without compromising their
12 legal protections. Mr. Shipp advised that through discussion,
13 hospitals have identified system and operational improvements
14 that could be worked on together, and once an agreed output or
15 product has been reached, HAP could help provide a platform for
16 educational webinars to implement those items with patient
17 safety officers and hospital staff. He advised that HAP's
18 recommendation is for the PSA to continue working with hospitals
19 by scheduling additional meetings or workgroups that focus on
20 specific items.]

21 [Maureen Barnes from Cassatt Patient Safety Organization voiced
22 the concern that the implementation of the program memorandum
23 could undermine patient safety in hospitals by eroding the

1 federal and state privilege protections that exist. She went on
2 to say that the information requested within the first page of
3 the draft supplemental data form seeks patient safety work
4 product developed within a patient safety evaluation system,
5 which is privileged and confidential. Ms. Barnes advised that
6 the Cassatt PSO works with other PSO's in a collaborative
7 fashion, and would like to also work with the Patient Safety
8 Authority to improve the quality and safety of health care for
9 the patients in Pennsylvania.]

10 [Robin Nagele, Esquire, Post and Schell, offered insight with
11 respect to the MCARE Act, the Pennsylvania Peer Review
12 Protection Act, and the Federal Patient Safety Act. She advised
13 that she concurs with Mr. Shipp's and Ms. Barnes' comments, and
14 believes that the Patient Safety Authority would be acting
15 outside of its statutory authority in requiring hospitals to
16 produce supplemental information beyond the mandated occurrence
17 reporting through the MCARE Act. As such, she advised that the
18 Authority would not be in a position to ensure that the
19 supplemental information would be privileged from discovery.
20 Ms. Nagele advised that there is an opportunity for the
21 Authority to create a component PSO that would be certified and
22 listed under the Federal Patient Safety Act, which would allow
23 the Authority and the hospital community to work together

1 voluntarily and collaboratively to improve patient safety.]
2 [Dr. Joshi, followed up on the public comments and outlined the
3 basic objectives of the PSA, which is to get information and
4 then provide education, to contribute to long-term improvement
5 in patient safety. He also explained some of the problems the
6 Authority experiences with facilities not reporting events. Ms.
7 Hoffman inquired if there would be further discussion on the
8 matter, and it was agreed to take the comments under
9 consideration and table the matter until the next Board
10 hearing.]

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12 New Business

13 [Caitlyn Allen, Director of Engagement, gave a very brief
14 presentation on the Annual Report. She advised that the data
15 from the Annual Report will be pre-published in the June issue
16 of the journal, along with the Annual Report on May 1. Dr.
17 Glunk made a motion to approve the Annual Report. The motion
18 was seconded by Dr. Wenner, and passed unanimously. Dr. Wenner
19 raised a question concerning table three of the Annual Report,
20 which is the number and percentage of reports, specifically
21 related to deaths. Dr. Wenner pondered whether the number of
22 preventable deaths reported is an accurate reflection, and
23 suggested that PSA staff review that and come back with a plan

1 of how to evaluate the critical issue of unnecessary deaths in
2 Pennsylvania.]

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4 [The meeting adjourned at 2:24 p.m.]

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Byron Aldinger
Minute Clerk
York Stenographic Services

PATIENT SAFETY AUTHORITY
 BOARD OF DIRECTORS
 REFERENCE INDEX
 APRIL 27, 2023

TIME	COUNTER NUMBER	AGENDA
1:17	00:05	Call to Order
	00:10	Roll Call
	1:17	Approval of the March 16, 2023, Meeting Minutes
	1:48	Report of Board Chair, Nirmal Joshi, M.D.
	1:57	Executive Director Report, Regina Hoffman
	4:51	Old Business, Work Plan to Request Investigations - Modified Work Plan Proposal, Regina Hoffman
	7:48	Work Plan to Request Investigation - Public Comment - Robert Shipp (HAP); Maureen Barnes, Cassatt PSO; Robin Nagele, Esquire
	23:43	Work Plan to Request Investigation - Discussion, Dr. Nirmal Joshi
	33:12	New Business, Annual Report Approval, Caitlyn Allen
	38:35	Adjournment