

**Hospital Licensing Reform Steering Committee**  
**November 5<sup>th</sup>, 2007**  
**Maine Hospital Association Conference Room**

**Minutes**

*Committee Members Present:* Bill Zuber, Gerald Cayer, Sandy Parker, Sharon King, Mary Finnegan, Patty Roy, Julie Marston, Kathy Bonney, Barbara Shaw, Denise Osgood, Cathy Cobb, Cindy Leavitt, Annette Adams, Sherry Rogers, Denise Gay, Judy Street, Mary Louise McEwen, Lynne Gagnon, Ruth Lyons (by videoconference), Beth Dodge (by phone)

*Muskie School:* Maureen Booth, Barbara Shaw, Eileen Griffin

*Absent:* Maureen Parkin, Dianne Bubar, Linda Abernathy, Susan Boisvert, Laura Benson, Sally Lewin, Melissa Gallant, Missy Marter, Catherine Valcourt, Martie Moore, Anne Flanagan, Carol Kennelly, Deb Nickerson, Stacy Doten,

Item	Discussion	Decision/Action	Who's Responsible	Date Due
Welcome and Introductions	Denise Osgood asked those in attendance to introduce themselves and the organization they represent.	NA	NA	NA
Telehealth Update	Denise provided an update on the Governor's workgroup on telehealth. This group has made a formal recommendation that the Department revise its licensing rules to allow a hospital meeting the Medicare Conditions of Participation to provide telemedicine to any other hospital that has also met the Conditions of Participation.	NA	NA	
Review Meeting Minutes	Members reviewed meeting minutes. A number of revisions were requested and will be incorporated.	Revise Meeting Minutes	Eileen Griffin	December 3
Hospital Licensing Review Board	Denise reported on the September meeting of the Hospital Licensing Review Board. The Hospital Licensing Review Board plans to continue to play an active role, after the deeming legislation is effective. The Review Board sees the Steering Committee has making recommendations to it, and it will in turn make final recommendations to the Division of Licensing and Regulatory Services. The Review Board will look at the conditions of participation, and statutory language to make recommendations for what regulations need to be in effect.  The Review Board responded positively to the Division's proposed changes to the complaint process. These changes were aligned with the recommendations for 3-tiers of complaints coming out of the Steering Committee. The first tier will involve a referral back to the hospital's 1-800 number, for addressing a complaint with the hospital. The second tier	NA	NA	NA

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	<p>involves complaints that the Division will refer to the hospital for the hospital to investigate; the Division will receive a report back from the hospital. The third tier is the traditional process, with the Division receiving the complaint and conducting the investigation. The third tier will involve persons wishing to remain anonymous and may result in an on site investigation. Priorities within tier three will be immediate jeopardy or non-immediate jeopardy, high priority.</p> <p>Denise plans to implement this new approach by March 1. At that time, all complainants will receive a letter from the Division giving them the option of allowing the Department to pass their information on to the hospital for investigation or wait until the Division investigates.</p> <p>Denise also discussed her interest in reviewing the membership of the Review Board, to increase consumer representation. She believes the lack of consumer voice on the Steering Committee has proved to be a disadvantage and believes it's important to strengthen that voice on the Review Board.</p>			
Revisions to Draft Report	<p>The Steering Committee reviewed a draft report and identified a number of edits. The Steering Committee discussed at length proposed recommendations related to enforcement tools. Denise clarified that, under the new legislation, the Department will not be required to seek federal permission before investigating a complaint on the hospital licensure side. (When the Division investigates a hospital on behalf of CMS for condition-level not compliance, the Division does so only under the direction of CMS.) This authority is specifically preserved under the new legislation. The Steering Committee also focused on clarifying the relationship between the proposed "directed plans of correction" to the federal COP plan of correction, when hospitals will now be held to the COP for the purpose of state licensure. The federal government looks at "condition level" noncompliance while, for the purpose of state licensure, the Division would look at "standard level" noncompliance, a lower threshold for defining a plan of corrections. Cathy and Denise said they would use this discussion to continue to clarify their thinking on this topic. A number of members expressed their belief that the conditional license was undesirable and an intermediate enforcement tool would be preferred if it meant avoiding the conditional license. However, the group did not make a specific recommendation on the nature of an intermediate enforcement tool.</p> <p>Denise solicited Steering Committee input on draft criteria for prioritizing surveys. A number of edits were suggested. Denise will review and revise</p>	<p>Revise draft report to reflect discussion</p> <p>Submit revised report to Steering Committee for final edits</p> <p>Finalize report and submit to Review Board</p>	<p>Eileen Griffin</p> <p>Denise Osgood</p> <p>Denise Osgood</p>	<p>December 3</p> <p>December 3</p> <p>December18</p>

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	based on the discussion.			
Feedback on Process	Maureen invited members to provide feedback on the process. A number of members expressed interest in continuing to meet. Cathy Cobb expressed the Division's interest in having a continued dialogue with the hospitals. Denise noted that the Division has a number of priorities that make it difficult to sustain frequent meetings for this group.	Consider reconvening group for periodic input and discussion	Cathy Cobb & Denise Osgood	NA
Next Meeting	There is no future meeting planned at this time.	NA	NA	NA