

# Progress Notes

December 2015



Published monthly by the **Suburban Hospital Alliance of New York State LLC**, a consortium of 52 not-for-profit and public hospitals advocating for better health care policy for all those living and working in the nine counties north and east of New York City.

## Fiscal Year Funded, Site-Neutral Remains

The omnibus spending bill recently signed by the president assures that the government is funded through the remainder of the 2016 federal fiscal year, which ends on September 30, 2016. The omnibus spending bill, however, did not contain the technical corrections sought by the hospital industry to the Bipartisan Budget Act, which was signed on November 2, 2015. That law sets forth a damaging Medicare payment cut to hospitals known as the site-neutral payment cut.

The technical correction sought to allow off-campus hospital outpatient departments under development to qualify as grandfathered facilities and to continue receiving the higher facility-based outpatient reimbursement rate. Site neutral refers to the Centers for Medicare and Medicaid Services' categorization of all hospital-based outpatient departments to be the same whether the care is delivered in a physician office or hospital-based clinic. This is despite the substantially higher cost of overhead and skilled staffing mix in the hospital setting.

The omnibus spending law prospectively limits, as of November 2, 2015, any new off-campus, non-emergency

department, hospital-based arrangement from billing under the higher outpatient hospital-based rate. Those outpatient facilities that were billing under this rate structure before November 2 are grandfathered in. This means sites under construction or existing sites that might change ownership in the future will be paid at the lower rate.

The hospital industry says it will continue to seek relief for hospitals from this detrimental law through the regulatory/implementation process. In New York, there are dozens of off-campus, provider-based hospital outpatient departments in the works, especially as healthcare delivery transforms to a community-based, outpatient model.

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# Hospitals Request Clarification about Health Republic

The New York State of Health marketplace was extremely busy processing applications by the December 19, 2015 deadline for January 1, 2016 insurance coverage. It remains open, however, through January 31, 2016 for those seeking insurance coverage with a start date of February or March 2016.

Marketplace activity was heightened in recent weeks due to the collapse of insurer Health Republic and the subsequent auto and self-select enrollment of these policy holders into alternate plans for December. The plan's collapse has left hospitals located in the Suburban Hospital Alliance regions with about \$100 million in unpaid claims and counting. Hospitals on Long Island and in the Hudson Valley were disproportionately hit by the demise of Health Republic, as nearly 70 percent of the insurer's customers resided in these two regions. Suburban Hospital Alliance president/CEO Kevin Dahill sent a letter in early December to the state inquiring

about how the state intends to rectify the situation for hospitals.

The Suburban Hospital Alliance's Long Island regional affiliate – the Nassau-Suffolk Hospital Council (NSHC) – is one of three lead navigator agencies for that region. The Hudson Valley region is serviced by the Community Service Society of New York, Maternal Infant Services Network of Orange, Sullivan, and Ulster counties, and the Westchester County and Rockland County Departments of Health.

Individuals and small businesses can shop the marketplace through the online portal at [www.nystateofhealth.ny.gov](http://www.nystateofhealth.ny.gov), by calling the state's customer service number 855-355-5777, or by meeting with a state-certified navigator. The NSHC navigator agency maintains a user-friendly, bilingual website that lists enrollment sites and dates and other helpful information at [www.coverage4healthcare.com](http://www.coverage4healthcare.com).



**Happy holidays  
and a prosperous new year!**

to all our member hospitals  
on behalf of the staff and board members  
of the Suburban Hospital Alliance  
and its regional hospital associations

# In Memoriam

Robert Lord, executive vice president of the **Nassau-Suffolk Hospital Council** from 1985 to 1993, passed away December 7, 2015. Bob, as he was known to colleagues, was instrumental in advancing medical waste legislation during his time as the leader of NSHC. The Hospital Council was also the only hospital association at the time to receive federal grant money to do in-service training and education related to HIV care in the development of specific AIDS units.



Bob's accomplishments in the healthcare policy field are numerous and his vision that the Hospital Council be an organization that advocates for better healthcare for Long Islanders lives on.

His widow Linda Lord writes:

*On behalf of the Lord Family, I would like to take this opportunity to reach out and thank all the members of the Council, Bob's colleagues both past and present, the staff and the healthcare community at large for embracing your commitment to continue to educate, communicate and advocate for the betterment of all of us living here on Long Island.*

*The Council was so much a part of Bob's life. Your influential and inspirational support throughout the years was a great source of comfort to him. It helped shape the man we loved so dearly and for that, we are eternally grateful.*

*As most of you know, Bob was also a prolific writer and like his father, an historian of sorts. If you would like to share a remembrance of him with our family, we truly would cherish it. Send to Linda Lord c/o Janine Logan - Hospital Council (marked private/personal).*

*Since Bob spent some of his childhood as a patient at St Charles and as a part-time employee when a young adult, we thought it fitting that his last days of life be spent there at the Good Shepherd Hospice. Prominently attached to the wall inside is a life-size Tree of Life sculpture. The leaves represent a special loved one who has passed on. To honor Bob's memory, Thomas and I will be placing a leaf of our own. If you would care to join with us, we will make sure that your donation is included with ours.*

You can visit their website at:

<http://goodshepherdhospice.chsli.org/>

Please make donation payable to: *Good Shepherd Hospice*

The memo line should read: *Tree of Life-Robert Lord*

# News Briefs

**E-Prescribing** – The New York State Bureau of Narcotic Enforcement’s e-prescribing mandate now allows for temporary waivers to the mandate for discrete circumstances, including, “technical limitations, economic hardship, or other exceptional circumstances demonstrated by the practitioner.” The online waiver process will be available for employed physicians, affiliated physicians, and other practitioners, all of which would require waivers for individual sites. For more information on the waivers and on e-prescribing, visit the [BNE website here](#)

**Health Information Technology Rules Advance** –The public comment period for the CMS Medicare and Medicaid Electronic Health Record Incentive (meaningful use) Program ended on December 15, 2015. The final rule made modifications to meaningful use requirements for 2015 through 2017 and set the required start date for Stage 3 of the program as January 1, 2018. In addition to the final rule for the Electronic Health Record (EHR) Incentive Programs, the Office of the National Coordinator for Health Information Technology announced the final rule for the 2015 edition health information technology certification criteria, standards, and implementation specifications for EHR technology to support meaningful use. This rule focuses on increasing interoperability and improving transparency and competition in the healthcare information technology marketplace. <https://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/index.html?redirect=/ehrincentiveprograms>

**CMS Issues Two-midnight Rule Notice** – CMS issued a notice last month that discloses the sources, methods and assumptions used to apply the 0.2 percent reduction in Medicare Inpatient Prospective Payment System payment rates beginning in federal fiscal year 2014, as a result of the agency’s implementation of the two-midnight rule. A federal court ruling in October 2015 required CMS to re-promulgate and correct its proposed rule.

The hospital industry filed suit with the federal government earlier this year on the premise that CMS failed to follow the procedural requirements of the Administrative Procedure Act. In October, a federal judge concluded that CMS’ failure to disclose its actuarial rationale for predicting a higher number of inpatient admissions, as a result of the implementation of the two-midnight rule, was not properly disclosed and therefore did not provide the hospital industry with a meaningful opportunity to comment on the two-midnight rule in the first place.

Comments on the notice are due to CMS by February 2, 2016. CMS plans to issue a final rule by March 18, 2016. View the notice at <https://www.gpo.gov/fdsys/pkg/FR-2015-12-01/pdf/2015-30486.pdf>

## News from the Long Island Region

*A Report on Nassau-Suffolk Hospital Council member hospital achievements and notable activities*



**Qualaris Healthcare Solutions** – The Suburban Hospital Alliance has contracted with Qualaris Healthcare Solutions, a software platform to ease the collection of observational data for quality and patient satisfaction improvement projects, to offer services to NSHC and NorMet members. Qualaris was developed in consultation with the Hospital Council of Western Pennsylvania. Participating hospitals are offered a free tablet and one quality improvement model of their choice at no cost to pilot the product. In addition, each member of the Hospital Council’s Nurse Executives Committee will be offered the opportunity to work in a collaborative fashion on a common quality metric at no cost. Three member hospitals have agreed to participate in an initial pilot project, which will focus on improving patient experiences.

**Truth in Medicine** – In an ad campaign designed to set it apart, *South Nassau Communities Hospital* launched *WhereQualityMatters.org*, a huge component of a new marketing effort for their cancer, cardiac care and orthopedic service lines, as well as a branding effort directed towards patients who might otherwise choose hospitals in Manhattan for their care.

**Redesigning Delivery** – The heart failure program at *Nassau University Medical Center's* cardiology department has been recognized by HANYS for their efforts in reducing readmissions, reducing mortality rates for Medicare patients as well as decreasing the average length of stay through its “Cardiac Care Across the Continuum” program.

**Top Performer** – *Nassau University Medical Center* was also recognized by The Joint Commission as a *2014 Top Performer on Key Quality Measures®* in the Commission’s annual *Improving Quality and Safety* report.

**Conditions of Participation Survey Information** – In response to member concerns about issues raised during recent Department of Health and Joint Commission surveys, the Hospital Council has initiated a member forum to share experiences. The forum also provides a mechanism to feed information to NSHC for advocacy purposes. Members are encouraged to share information with Wendy Darwell at [wdarwell@nshc.org](mailto:wdarwell@nshc.org).

*If you have news to share about your hospital’s achievements, please send to Janine Logan at [jlogan@normet.org](mailto:jlogan@normet.org).*

## News from the Hudson Valley Region

*A Report on the Northern Metropolitan Hospital Association member hospital achievements and notable activities*



**Hospital Strength** – *Ellenville Regional Hospital* was recognized by iVantage Health Analytics and the National Organization of State Office of Rural Health for overall excellence in Patient Perspectives and Financial Strength, reflecting top quartile performance among all acute care hospitals in the nation.

**Top Performer** – Health Quest’s *Vassar Brothers Medical Center* and *Northern Dutchess Hospital* were named 2014 “Top Performers on Key Quality Measures” by the Joint Commission, who recognized only 31.5% of hospitals in the nation.

**5 Star Performance** – *Orange Regional Medical Center* has achieved 5-Star ratings in bariatric surgery and natural childbirth from Healthgrades, for outcomes in surgical techniques as measured by in-hospital complication rates.

*If you have news to share about your hospital’s achievements, please send to Janine Logan at [jlogan@normet.org](mailto:jlogan@normet.org).*

## NSHC Member Hospitals

Brookhaven Memorial Hospital Medical Center

Catholic Health Services of Long Island

- Good Samaritan Hospital Medical Center
- Mercy Medical Center
- St. Catherine of Siena Medical Center
- St. Charles Hospital
- St. Francis Hospital
- St. Joseph Hospital

Eastern Long Island Hospital

John T. Mather Memorial Hospital

Nassau University Medical Center

Northwell Health

- Franklin Hospital
- Glen Cove Hospital
- Huntington Hospital
- North Shore University Hospital
- Plainview Hospital
- Southside Hospital
- Syosset Hospital

Peconic Bay Medical Center

Southampton Hospital

Stony Brook University Hospital

Veterans Affairs Medical Center – Northport

South Nassau Communities Hospital

Winthrop-University Hospital

## NorMet Member Hospitals

Blythedale Children's Hospital

Bon Secours Charity Health System

- Bon Secours Community Hospital
- Good Samaritan Hospital
- St. Anthony Community Hospital

Burke Rehabilitation Hospital

Catskill Regional Medical Center

Ellenville Regional Hospital

HealthAlliance Hospital

- Broadway Campus
- Mary's Avenue Campus

Helen Hayes Hospital

Keller Army Community Hospital

Montefiore Health System

- Mt. Vernon Hospital
- New Rochelle Hospital

The New York Presbyterian Hospitals

- Lawrence Hospital Center
- Hudson Valley Hospital
- Westchester Division

Northern Westchester Hospital

Orange Regional Medical Center

Phelps Memorial Hospital Center

Putnam Hospital Center

St. Joseph's Medical Center/St. Vincent's Hospital

St. Luke's Cornwall Hospital

St. Vincent's Westchester (Division of St. Joseph's Medical Center)

Vassar Brothers Medical Center

VA Hudson Valley Health Care System

Westchester Medical Center Health Network

- Westchester Medical Center
- MidHudson Regional Hospital

White Plains Hospital