



VPQHC Testimony to the Senate Health & Welfare Committee regarding S.73 - This bill proposes to establish a licensing structure for ambulatory surgical centers.

Good morning and thank you for this opportunity to weigh in on bill S.73, which proposes to establish a licensing structure for ambulatory surgery centers.

I had the opportunity to attend testimony provided to the Senate Health & Welfare Committee by Amy Cooper, Executive Director of the Green Mountain Surgery Center on Friday, February 8, 2019 and fully agree with and support her recommendations to include participation in Vermont's Patient Safety Surveillance and Improvement System (PSSIS).

In initially reviewing the language of S.73, I was surprised to find that language from the workgroup report recommendation directing participation in the PSSIS was NOT included in the introductory language for this bill. VPQHC respectfully requests that the Senate Health & Welfare Committee consider modifying the language of S.73 to include the recommendation for participation in the PSSIS as it was presented in the workgroup's report to the legislature in Recommendation Part 1, Item 1-b, as follows:

Ambulatory Surgical Centers (ASCs)

Recommendation Part 1:

The workgroup recommends that the Health Department be authorized in statute to license ambulatory surgical centers to ensure they continue to meet patient safety and quality standards, and to ensure that patients receiving services in ASCs have a government authority available to receive and investigate complaints about such services.

1. In order to obtain a license from the Health Department, the general requirements for Ambulatory Surgical Centers must be met. These will be defined in rule, much like Hospital Licensing requirements. Broadly, these requirements should include:
 - a. Annual licensure.
 - b. Participation in the Patient Safety Surveillance and Improvement System.
 - c. Health and safety standards such as the Centers for Medicare and Medicaid Services (CMS) Conditions for Coverage, or similar health and safety standards as determined in rule.
 - i. These standards shall, as much as possible, be fully aligned with any existing federal requirements for Ambulatory Surgical Centers and not duplicate efforts.
 - ii. Certification with an accrediting body shall reduce the fee for licensure.
 - d. Be in full compliance with all other current state law and regulations including, but not limited to, the Department of Public Safety Rules on Vermont Fire and Building Safety Codes, rules related to food safety and any other health care regulations or statutes.
 - e. Have a clear method for responding to patient complaints.



Including the ambulatory surgery centers in the PSSIS reporting system provides regulatory oversight of a new service delivery option within the State of Vermont, and is equitable and consistent with oversight of and reporting requirements for hospital-based surgical services. The Serious Reporting Events (SRE) list produced by the National Quality Forum (NQF) applies equally to the ambulatory surgery center setting. The NQF SRE list is an industry standard and was agreed upon by the entire workgroup to be applicable for the services provided in the ASC setting. Access the full list of the NQF Serious Reportable Events [HERE](#).

The ASCs are certified by The Joint Commission (TJC), which includes a requirements for an internal patient safety reporting and evaluation system. Vermont's additional requirement to submit event reports into the PSSIS would not be an added burden for the ASCs because patient safety evaluation and reporting is a requirement to maintain certification compliance with TJC. The VT reporting process would literally involve copying and pasting prepared documents into Vermont's event reporting portal system. Documents and analysis prepared for TJC reporting are fully transferrable and acceptable for VT's PSSIS system documentation.

As an added benefit to the ASCs, VPQHC provides technical assistance to support decision making surrounding event reporting, root cause analysis (RCA) and corrective action plan (CAP) development. As we do currently with hospital reporting, our staff can act as a "sounding board" to determine if events qualify as a serious reportable, and share collegial discussion about safety issues in general. VPQHC provides an objective external review of the event, the causal analysis and correction action plan to ensure that the entire process is thorough and credible. As an external reviewer, we conduct a thorough review to ensure that a systems approach is undertaken as part of the internal event review in order to prevent the same event of happening again to another patient or staff member. VPQHC can connect resources and engage local, regional and national expertise to support organizations' internal improvement efforts.

To reiterate, VPQHC supports the inclusion of a requirement for ASCs in Vermont to report serious reportable events to Vermont's PSSIS and receive the benefits of participation in this reporting system for the protection of Vermonters. Please feel free to reach out to VPQHC if you have any further questions regarding this request or the PSSIS.

Thank you again for this opportunity to present to the Committee this morning.