



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE PUBLIC HEALTH COMMITTEE March 1, 2010

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Senate Bill 248 - An Act Concerning Adverse Events at Hospitals and Outpatient Surgical Facilities

The Department of Public Health opposes Senate Bill 248 as currently written.

Existing regulations governing hospitals and outpatient surgical facilities address the Adverse Event Reporting requirements. The Department of Public Health currently includes a review of compliance with these regulations as part of its evaluation during onsite inspections of these facilities. Staff may identify specific instances of underreporting by comparing hospital and outpatient surgical facility reports against complaints, referrals, and other sources of data collected through onsite reviews.

The agency's expectation is that the hospitals and outpatient surgical facilities comply with regulations that require that all events occurring in these facilities that meet the national quality forum list of serious reportable events—as well as Connecticut specific events—are reported to the Department. The bill's call for public disclosure of these reported incidents may not result in added benefits for consumers. This additional disclosure could lead to undermining patient privacy and may also discourage event reporting.

This bill also directs DPH to consult with the Attorney General's Office regarding the development and implementation of audits. It is unclear whether the Attorney General's Office has any expertise in regards to the proper execution of health care facility inspections.

Additionally, reporting requirements in section 4 are vague. It is unclear whether the reporting of all infection rates would be required, or only those infections recommended by the Healthcare Associated Infections Advisory Committee. Hospitals currently report the infections designated by this committee. A reporting of all infections would require extensive resources for both hospitals and the Department of Public Health. To fulfill a reporting mandate of this magnitude would require hospital staff to devote time and energy solely to data collection that would interfere with their ability to address issues of infection prevention and control. It is essential that data collection efforts be focused on areas that are linked to evidence-based research so that limited personnel resources can be devoted to infection prevention and control. The advisory committee, referenced in the underlying statute, continues to meet actively and make appropriate recommendations in this regard. The department feels that the collective expertise possessed by this committee makes it the most appropriate body to identify the relevant data for tracking these infections moving forward.

Although the DPH generally supports the issuance of monetary penalties to licensed health care facilities, the department is opposed to placing this remedy on a per diem basis, as this is not practicable from an administrative perspective. Additional staff would be necessary to toll the fine for a "continuing violation" which is undefined.

In order to meet the regulatory requirements of this bill, the Department would require additional staff resources that are not provided for in the Governor's budget.

Thank you for your consideration of the Department's views on this bill.

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