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Rogers, Beloit Memorial Join WHA in Testifying on Emergency Detention Bill *WHA-led bipartisan bill addresses provider liability, EMTALA concerns*



WHA's Matthew Stanford (right) testifies with Jerry Halverson, MD, CMO, Rogers Behavioral Health and Sharon Cox, CNO and ED Director, Beloit Health System on Assembly Bill 538, WHA-led emergency detention reform legislation.

The Assembly Mental Health Committee received testimony from WHA and WHA members on October 24 in support of Assembly Bill 538. This bipartisan, WHA-led bill reconciles Wisconsin's emergency detention law with federal EMTALA (Emergency Medical Treatment and Active Labor Act) requirements for appropriate transfers of patients and provides additional liability clarity for health care providers treating patients during a mental health crisis.

Reps. John Jagler (R-Watertown) and Eric Genrich (D-Green Bay) and Sens. Rob Cowles (R-Green Bay) and Janis Ringhand (D-Evansville) are the lead authors of the bill, which has 29 cosponsors from both sides of the aisle.

Jerry Halverson, MD, chief medical officer at Rogers Behavioral Health, and Sharon Cox, chief nursing officer at Beloit Health System, joined Matthew Stanford, WHA general counsel, in testimony in support of the legislation.

"This bill provides better clarity in statute so a health care provider's liability to an individual or third party is more clearly limited to the health care provider's authority to seek, but not impose, an

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Webinar on ePDMP Medical Coordinator Access, Nov. 7

On November 7, WHA will host a complimentary WHA Member Forum that will provide information about the Wisconsin Enhanced Prescription Drug Monitoring Program's (ePDMP) new "medical coordinator" functionality that enables certain individuals within health care organizations to view prescribing metrics reports and audit trails. In general, individuals with medical oversight and quality assessment and improvement roles at health care organizations may have access to the ePDMP's medical coordinator functionality.

Andrea Magermans, managing director of the Prescription Drug Monitoring Program at the Wisconsin Department of Safety and Professional Services, will present information during the webinar on the role of the medical coordinator in the Wisconsin ePDMP, how to register as a medical coordinator in the Wisconsin ePDMP and how to access ePDMP prescribing metrics reports specific to a medical coordinator's prescribers.

Audiences that may be interested in this webinar include chief medical officers, other physician leaders with prescriber oversight roles and quality managers.

To register for this webinar, go to: www.cvent.com/d/9tql1b.

Political Action Spotlight

WI Hospitals State PAC/Conduit: \$50K In 50 Days?

Fundraising campaign hits \$260,000

The 2017 Wisconsin Hospitals State PAC & Conduit campaign hit the \$260,000 mark this week with contributions from 274 individuals. This puts the campaign at 83 percent of goal. In addition, the fundraising campaign has raised \$20,000 since launching its “\$50,000 in 50 days” initiative. You can make an impact today by contributing at www.whconduit.com.

A few other interesting statistics on the 2017 fundraising campaign are:

- The average contribution to date is \$949/person
- The campaign is raising, on average, \$6,050/week
- There are 41 first-time contributors
- There are 6 contributors at the “Leaders Circle” Level of \$5,000 and above
- There are 19 contributors at the “Platinum Club” Level of \$3,000-\$4,999
- There are 52 contributors at the “Gold Club” Level of \$1,500-\$2,999

If you missed the full list of contributors in the October 20 edition of *The Valued Voice*, take a look at www.wha.org/wha-newsletter-10-20-2017.aspx#s3.

There are still over two months left to go in the calendar year to raise the remaining \$50,000 needed to reach goal. Join your peers across the state by making your contribution today at www.whconduit.com or by calling WHA’s Jenny Boese at 608-268-1816 or Nora Statsick at 608-239-4535.

Amery Hospital & Clinic Trustee Honored with WHA Award

Lien presented with 2017 WHA Trustee of the Year

Dan Lien, who has served on the Amery Hospital & Clinic Board of Directors since 1993, received the Wisconsin Hospital Association’s 2017 Trustee of the Year Award. Lien was nominated by President/CEO Debra Rudquist. WHA General Counsel Matthew Stanford presented the award to Lien at a hospital board meeting in Amery October 25.

Over his 24 years of service on the Amery Board, Lien has exemplified leadership and service to his community. According to Rudquist, “Dan’s advice is frequently sought both formally and informally by community members. I can’t think of more deserving person to receive this award than Dan.”

In addition to his governing expertise on the Board, Lien is helping to support a number of health initiatives aimed at improving the overall wellness of people living in the Amery community. These include promoting healthy eating and lifestyles for school-age children; the Remember Project that is building awareness of and support for people with memory disorders; and, the “Make it Okay” campaign that is designed to reduce the stigma of mental illness. He also served on the Amery City Council and was a founder of the Amery Area Community Foundation and the Saint Croix Valley Community Foundation.

Lien is a lifelong resident of Amery and was employed with Bremer Financial Corporation. He holds a degree in history and was a Fulbright exchange teacher in England. He is married to Margaret Frank and the couple raised two children in the community.



Matthew Stanford, WHA General Counsel; Dan Lien, WHA 2017 Trustee of the Year; Debra Rudquist, Amery Hospital & Clinic President/CEO

Grassroots Spotlight

U.S. Rep. Grothman Attends WHA Roundtable Discussion



U.S. Rep. Glenn Grothman met with health system and hospital leaders from his district at a Wisconsin Hospital Association (WHA) roundtable discussion hosted at Aurora Medical Center–Oshkosh. At the meeting, attendees discussed health care reform, federal exchange cost-sharing subsidies and priority issues like 340B, CHIP and Medicare “extenders.”

Aurora Health Care’s North Region Executive Vice President Jeff Bard kicked off the discussion with health care reform. With various health care reform proposals this year resulting in increased instability in the federal insurance marketplace, the group highlighted the confusion for their patients who will soon need to choose insurance plans on the exchange. Attendees discussed at length the need for Congress to stabilize the marketplace and fund the Affordable Care Act’s “cost-sharing reductions” (CSRs) in light of the Trump administration’s indication it will no longer fund these CSRs.

The group also discussed concerns with the growing regulatory burden hospitals and providers must deal with on a daily basis and expressed strong opposition to proposals coming out of the Centers for Medicare & Medicaid Services (CMS) that would cut the 340B program. This drug discount program is vital to the work of many Disproportionate Share Hospitals in Wisconsin that will see significant payment cuts if the CMS proposal is finalized. Grothman expressed his willingness to contact CMS on the 340B program, saying, “I am happy to weigh in with CMS and am not afraid to fight.”

“How does Congress expect me to run my hospital when it continues to throw all these issues and changes at me?”

- John Newman, MD, President, Aurora Medical Center–Oshkosh



L to R: Elizabeth Cliffe; Rachel Roller; U.S. Rep. Grothman; Heather Schimmers; John Newman, MD; Jeff Bard; Tony Curry; Tammy Bending; Jenny Boese

As discussion moved through various topics, Aurora Medical Center–Oshkosh President John Newman, MD turned to Grothman and asked, “How does Congress expect me to run my hospital when it continues to throw all these issues and changes at me?”

Jenny Boese, WHA vice president, federal affairs & advocacy, reminded Rep. Grothman that CHIP needs to be funded and key Medicare payments, known as the “Medicare Dependent Hospital” and Low Volume Adjustment,” extended.

“While these Medicare extender payments impact a smaller sub-set of Wisconsin’s rural, non-critical access hospitals,” said Boese, “they can be the difference between a hospital having a margin or not.”

WHA Quality Forum Launches with Patient Safety Tools and Concepts



Alex Hunt

Hospital quality and risk management staff recently attended the first session of the 2017-2018 WHA Quality Forum to learn about patient safety tools and concepts. Alex Hunt, quality improvement specialist for AboutHealth, and Kelly Court, WHA chief quality officer, served as faculty for the day.

Attendees learned a variety of practical patient safety tools including root cause analysis, apparent cause analysis and failure modes and effects analysis. The forum is designed to allow people to learn new things from the faculty and each other and then practice what they learned using a variety of scenarios.

“The forum provides a unique and affordable opportunity for WHA to share basic quality and patient safety education,” according to Court. “All attendees left the session feeling confident they would be able to use the information in their daily work.”

The forum series, which will cover additional topics such as medical staff quality, survey readiness, external quality requirements and basic quality improvement, will continue into 2018. WHA members can find a full brochure and link to registration for future sessions at www.wha.org/seminars.aspx. For questions about the content of these education events, contact Beth Dibbert at bdibbert@wha.org.

Egle joins WHA as Receptionist

Marcia Egle is the newest member of the WHA staff. She joins the staff as the front desk receptionist. Prior to joining WHA, Egle was a HEDIS medical record reviewer for Dean Health Plan. She also served as a quality assurance/medical-legal review specialist for 22 years.

“Marcia is a valuable addition to the WHA team, filling the important role of front desk receptionist. She is the first contact for our members and the community,” said Jenna Hanson, WHA office administrator.

Egle will also be closely involved in supporting the Wisconsin Organization of Nurse Executives (WONE) in addition to providing administrative support to WHA. She holds a bachelor’s degree in journalism from the University of Wisconsin–Madison.



Marcia Egle

Prepare Your Chargemaster for 2018: Register Today

Back by popular demand, national expert Glenda Schuler will lead attendees in an overview of all 2018 reporting requirement updates and CPT and HCPCS coding revisions for your hospital chargemaster at WHA’s one-day seminar “Preparing the Chargemaster for 2018,” scheduled December 1 in Wisconsin Dells.

Chargemaster/APC coordinators, chief financial officers, controllers, decision support managers, office managers, compliance auditors, coding staff, pharmacy directors, material managers/purchasing directors, and other directors and managers responsible for the charge generation process are encouraged to attend this event. This program has prior approval of the American Academy of Professional Coders for 5.5 continuing education units.

This seminar will be held at Glacier Canyon Lodge at The Wilderness Resort in Wisconsin Dells Friday, December 1. Online registration is available at www.cvent.com/d/f5qshc. For registration questions, contact Kayla Chatterton at 608-274-1820 or email kchatterton@wha.org.

Member News: Stoughton Hospital President/CEO Brenny Announces Retirement



Terry Brenny

After 27 plus years of dedicated service to Stoughton Hospital and the community, President/CEO Terry Brenny has announced his planned retirement from Stoughton Hospital effective June 1, 2018.

Under Brenny's leadership, Stoughton Hospital experienced significant growth and success. Brenny guided the hospital through many major changes including: conversion to electronic health records, opening two satellite clinics, starting Stoughton Hospital Home Health Program, developing a hospitalist program, and initiating the first Dane County valet and room service for patients and visitors.

Beginning in 1995 the hospital implemented its first major construction and renovation project and followed with three more—the most recent being a \$13.2M project completed in April 2017.

Brenny has served on WHA's Board of Directors since 2015, was a member of WHA's Council on Medical and Professional Affairs and served on WHA's Council on Rural Health. He is active in meetings and events associated with WHA's Southern Region.

"Terry is a remarkable, widely respected health care leader," said WHA President/CEO Eric Borgerding. "His knowledge of our industry and the insights he shared at our Board meetings were highly valued by his colleagues and the WHA staff. On a personal note, I have greatly appreciated his counsel and thoughtful input over the past several years. Terry will be missed, and we wish him and his family all the best in a well-deserved retirement."

Brenny's tenure at the hospital has been recognized with multiple awards and accolades, which he attributes to the hospital's Excellence Together Program initiated in 2006. Stoughton Hospital consistently leads the industry with exceptionally high patient, physician and employee satisfaction and engagement scores monitored through Press Ganey. Brenny has been a champion in creating a culture where patients, employees and physicians are engaged, fulfilled and focused on the mission of Stoughton Hospital to "provide safe, quality health care with exceptional personalized service" to their patients and families.

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emergency detention on the individual," explained Stanford. "The bill further clarifies that a health care provider may fulfill a duty to warn by contacting law enforcement or the county crisis agency."

Halverson told the committee that under current law, "Chapter 51 puts our providers who are taking care of some of our most ill psychiatric patients in a double bind. It does not give the medical experts the ability to place an emergency detention, but also does not clearly absolve them from liability when the county/legal official decides to decline to place a patient on an emergency detention."

"AB 538 addresses this liability concern that has long caused consternation at Rogers at all levels of care, other psychiatric facilities and other emergency rooms across the state," said Halverson. Stanford also explained how the bill addresses the current misalignment between federal EMTALA requirements and Wisconsin's emergency detention law.

"This legislation is a product of nearly three years of conversations between the Wisconsin Hospital Association (WHA) and the Wisconsin Counties Association (WCA) to find a compromise policy that helps remedy a regulatory conflict between Wisconsin law and federal law," said Stanford. "This legislation does not change the process to initiate an emergency detention, but necessarily and correctly leans on the medical judgment of health care professionals in hospital emergency departments to ensure a patient transfer is medically appropriate." *(continued on page 6)*

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Cox shared a story with the Committee of an example where lack of alignment between Wisconsin's emergency detention law and the federal EMTALA law resulted in a federal CMS citation for her hospital. Cox said they appealed the federal citation arguing that Wisconsin's emergency detention law gives no authority to emergency departments to initiate or direct placement for emergency detention. CMS denied the appeal, and their response was that Wisconsin needed to change its law to enable hospitals to comply with EMTALA, said Cox.

The Wisconsin Counties Association also provided testimony sharing their work on and comfort with the bill.

"There was significant back and forth between WHA, WCA, representatives from the county corporation counsel association, and county human services departments to develop language that ensures the best interests of an individual in crisis are met, while also ensuring the valuable role each entity plays in the process is respected," said Sarah Diedrick-Kasdorf, deputy director of government affairs for the WCA. "After several years of meetings, conference calls, etc., Assembly Bill 538 was introduced that WCA believes protects the county role in the emergency detention process, while ensuring our partners are in compliance with federal law."

Kristen Freier, MD, department chair of behavioral health medicine at Gundersen Health System, also spoke in favor of the bill to the Committee.

"This legislation better aligns statutes with integrated health care and clinical-based recommendations for treatment," said Freier. "We are pleased to support this legislation for improved processes and clinical protocols for the safety of our patients and communities."

WHA is working with Assembly Mental Health Committee Chair Paul Tittl (R-Manitowoc) and the bill's authors to schedule a Committee vote on AB 538 that will advance the bill for a vote by the full Assembly before the end of the year.