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Kathleen J. Billingsley, R.N.
Deputy Director
Department of Health Care Services
Center for Health Care Quality
P.O. Box 997377
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Sacramento, CA 95899

Dear Ms. Billingsley,

We appreciate your meeting with us on December 16, and want to follow up on state implementation of the hospital-acquired infection (HAI) and adverse event reporting laws that were the subject of our conversation.

Consumers Union thanks you for the information you provided and understands the severe financial constraints the Department has been under. However, we are disappointed about the lack of progress in meeting the statutory mandates, particularly those aimed at public reporting. We are even more concerned that the Department seems unwilling to take charge of the process, make up for lost time, and identify solutions to promptly accomplish the intended public benefits of these statutes. We hope that together we can turn that around.

In accordance with our discussion, could you kindly:

1. Send us a link to the job postings currently open for the remaining positions you mentioned were recently approved related to public reporting of hospital-acquired infections and adverse events.
2. Send us the slide presentations that you mentioned about non-reporting by hospitals or regional offices of adverse events,
3. Send us information on the process to enable Consumers Union to get regular reports of adverse events.
4. Advise us how the Department of Public Health ensures that hospitals notify patients of adverse events prior to reporting to the Department, pursuant to SB 1301 (e.g. is there some kind of certification that this has been done on the department's reporting form, and if not could that be added). We would also appreciate a copy of the standardized form that hospitals are using to report these events.
5. Advise us how the Department is verifying that doctors are informing patients quickly of positive MRSA cultures, and how they are educating patients with MRSA infections prior to discharge – as required by SB1058 in Section 1255.8(b)(3) & (4).
6. Advise us how the Department is verifying that hospitals: (a) are preparing tri-annual reports on their infection surveillance and prevention programs; (b) have established a process for evaluating antibiotic use and are reporting on this to the Department; (c) are implementing the CDC-HICPAC measures on infection prevention and are reporting to

the Department regarding their implementation of these guidelines; (d) have individually established a patient safety plan, a patient safety committee, a reporting process for HAI and adverse events, and a facility-wide hand hygiene program.

7. Provide the citation or link to the HAI and the "serious reportable events" regulations required, respectively, by SB 739 in Health & Safety Code 1288.8(a)(3) and SB1312 in Health & Safety Code 1280.3(b).

As we discussed, Consumers Union would be happy to co-host the HAI conference you mentioned the Department of Public Health is planning for March 2010. This would help convey to the public and all stakeholders the Department's intent to address the patient perspective. Please let us know as soon as possible if that will work for you so we can schedule it into our workplan.

In addition, we urge you to streamline and re-convene the HAI-Advisory Committee in 2010 to meet the Department's statutory responsibility.

We urge the Department to assert leadership publicly and take a proactive approach towards addressing healthcare safety, including HAIs and medical errors, consistent not only with the minimum standards required by the law, but also with any additional practices that protect the public's interest. We look forward to working with you on this endeavor. Thank you.

Sincerely,



Betsy Imholz
Special Projects Director
Consumers Union

cc: Lisa McGiffert, Campaign Manager, Consumers Union Safe Patient Project
Senator Elaine Alquist
Jon Rosenberg, MD
Sue Chen