Patient Safety Contract Language
PEBB / OEBB 2010-11

Patient Safety Requirements	**Medical**			
	PEBB		**OEBB**	
	2010	2011[1]	2009-10	2010-11
CMS Hospital Acquired Infections (HACs)	*Required*	*Required*	n/a	*Potential Addition*[2]
Or. Patient Safety Comm.'s hospital reporting program	*Encourage*	*Required*	*Encourage*	*May move to Require*[2]
Or. Patient Safety Comm.'s hospital surgical checklist	*Encourage*	*Required* * *Applies to pre-anesthesia, pre-incision, and prior to leaving operating room*	*Encourage*	*May move to Require*[2]
Or. Assoc. Hospitals and Health Systems' serious adverse events	*n/a*	*Required*	*Required*	*Required*
Or. Patient Safety Comm.'s adverse events reporting for non-hospital facilities	*n/a*	*Required* **Including ambulatory surgery centers, nursing homes, and retail pharmacies*	*Required*	*Required*
Bariatric surgery following PEBB guidelines	*n/a*	*Required*	n/a	n/a

[1] This reflects PEBB's first round of contract renewal language. PEBB expects that this language will be further negotiated with the carriers. Furthermore, it is likely that the carriers will not agree to "require" all of these elements for 2011. At the very least, PEBB will "require" some and "encourage" others.
[2] These possible changes reflect issues that will be discussed with the carriers and the SEOW Committee prior to the 2010-11 contract amendments being completed

Patient Safety Requirements	Dental			
	PEBB		OEBB	
	2010	2011	2010	2011
List of "never events" of "serious adverse events"	*n/a*	*Required* ** Includes not paying for work on wrong patient or tooth or causing loss of healthy tooth*	n/a	*Potential Addition*[2]

PEBB's proposed patient safety language for 2011 **medical** renewals

Patient Safety. PHP agrees to:

(a) Not pay for "hospital acquired conditions (HACs)" identified by Medicare guidelines as identified at http://www.cms.hhs.gov/HospitalAcqCond/06_Hospital-Acquired_Conditions.asp which PEBB and PHP intend will automatically update during the Term of this Agreement to reflect changes to Medicare guidelines.

(b) Require the following language to be included in its contracts with hospitals:

1. Language that specifically prohibits the hospital from charging PHP or a PEBB Member for HACs;
2. Language that requires hospitals to adopt the "Guidelines for Non-Payment of Serious Adverse Events" developed by the Oregon Association of Hospitals and Health Systems;
3. Language that requires hospitals to participate in the Oregon Patient Safety Commission's Adverse Events Reporting Program for Hospitals; and,
4. Language that requires hospitals to use a surgical checklist consistent with the Oregon Surgical Safety Checklist as endorsed by a coalition of Oregon quality groups and that shall include critical elements appropriate to the patient population. Furthermore, the surgical checklist used shall encourage full communication among the surgical staff regarding patient needs in the following three phases of care: prior to administration of anesthesia, prior to the first surgical incision, and prior to the patient leaving the operating room.

(c) Include language in all its contracts with ambulatory surgery centers, nursing facilities, and retail pharmacies that requires participation in applicable Oregon Patient Safety Commission's Adverse Events Reporting Programs.

(d) Include language in all its contracts with facilities approved to provide bariatric surgery that specifically requires the facility follow the guidelines adopted by PEBB regarding determination of whether the patient is an appropriate candidate for the surgery.

PEBB's proposed patient safety language for 2011 **dental** renewals

Patient Safety: Contractor agrees to not pay providers and to require providers to not charge PEBB members for the following events:

(a) The removal of non-diseased tooth structure (cutting, drilling, or extraction) unless treatment planned for continuing care (i.e.

orthodontic extractions of health teeth);

(b) The removal of non-diseased tooth structure (cutting, drilling, or extraction) without the patient's consent unless such consent cannot be obtained due to sedation and the removal is the professionally correct thing to do;

(c) Performing an invasive procedure on the wrong patient or tooth;

(d) Treatment that causes the loss of a healthy tooth;

(e) The unrecognized retention of a foreign object in the patient's body that necessitates future care to address the issue; and,

(f)Death or serious injury or disability resulting from the following:

A. a medication error;
B. a dental infection;
C. a fall in a dental facility;
D. a device in dental care; and,
E. a burn in a dental facility.

OEBB's proposed patient safety language for 2010 **Medical** renewals

f. Contractor agrees to:

(i**). Participate** in the Oregon Patient Safety Commission's reporting program;

(ii). **Require their contracted hospitals and ambulatory surgical centers** to use of the Oregon Patient Safety Commission's surgical checklist (originally created by the Institute for Health Care Improvement) and demonstrate participation in the reporting program; and

(iii). Not pay for preventable "Serious Adverse Events" at Oregon and Washington hospitals based on the National Quality Forum's (NQF) list of 28 "Serious Adverse Events" in accordance with the following:

a) as defined by the Oregon Association of Hospitals and Health Systems in its "Guidelines for Non-Payment for Serious Adverse Events" and adopted by Oregon member hospitals or as defined by the Washington State Hospital Association and adopted by Washington member hospitals; and;

b) to the extent such Serious Adverse Events are readily identifiable through electronic claims data received by Contractor.

(iv) Not pay for "hospital acquired conditions (HACs)" identified by Medicare guidelines in accordance with the following:

(a) as identified at http://www.cms.hhs.gov/HospitalAcqCond/06_Hospital-Acquired_Conditions.asp which OEBB intends will automatically update during the Term of this Agreement to reflect changes to Medicare guidelines.

(b) require the language to be included in its contracts with hospitals that specifically prohibits the hospital from charging a OEBB Member for HACs

OEBB's proposed patient safety language for 2011 **Dental** renewals

We are in the process of developing dental patient safety language for upcoming contract amendments