REPORT OF THE MEDICAL CARE COMMISSION MEETING HELD ON DECEMBER 5, 2006, AT 9:30 A.M.

I. CALL TO ORDER

Chairman Dennis called the meeting of the Medical Care Commission to order at 9:32 a.m. on Tuesday, December 5, 2006.

Chairman Dennis advised that the following members of the Commission were present: Chairman Michael Dennis, Vice Chairman Robert Friedman, and Commission Members Richard Furlaud, Norman Goldblum, Michael Stein and Dr. Norman Traverse.

II. PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Chairman Dennis announced that Suzette Wexner would not be present at this meeting but would address the Commission on Thursday, December 7, 2006.

Chairman Dennis spoke of recent meetings held in the community regarding the future of Good Samaritan Hospital (Good Sam) where representatives from top institutes discussed alternative models to improve service of the hospital. He stated that the Commission's discussions had raised community awareness for this hospital's future. He commended the appointment of Judy Goodman as representative for the hospital.

Chairman Dennis felt that Good Samaritan and its parent company, Tenet Healthcare, should be given every opportunity to demonstrate their serious commitment to improving healthcare. However, he also felt that the Commission

should take the initiative to show that the community's needs were not lost in the agenda. He felt the current challenges and issues being discussed needed to be re-emphasized. He spoke of recent legislative efforts to allow emergency angioplasties at Good Sam but added that the hospital had not yet met the requirements for certification.

He recalled that Good Sam officials had announced earlier this year that the hospital would hire a cardiology consultant to analyze the feasibility of performing angioplasties at the center. He questioned why the analysis had not been shared with the community earlier. With regard to conversations about the potential sale of the hospital, Chairman Dennis stated that the community wanted to be assured that Good Sam would never be anything but a medical facility. He stated that the best option was to work diligently with Ms. Goodman to create a climate to facilitate effective change. He stated that it would not hurt to look at alternatives simultaneously while negotiating with Good Sam. He stressed that the community wanted a modern, properly sized community hospital with first class services governed by a world class institution. He stated that the Commission had to serve as the voice of reason to determine what goals could realistically be accomplished at this point.

Chairman Dennis welcomed William Guttman and Senator Jeff Atwater who would address the Commission.

IV. PRESENTATIONS BY:

(i) William Guttman, Attorney-at-law

Mr. Guttman introduced himself and advised that from 1997-2005 he served as co-chairman and CEO of the Palm Beach Civic Association. He spoke of the history of various legislative efforts aimed at addressing the critical need for emergency angioplasties. He stated that until July 2004 there were legal restrictions on emergency angioplasty which meant this procedure was unavailable to many South Florida facilities. Mr. Guttman spoke of Governor Jeb Bush's appointment of a task force to study issues pertaining to the impacts and trends of healthcare delivery and financing. He advised that this group had proposed statutory language necessary to implementing recommendations including a proposal to exempt emergency angioplasty from CON review. He explained that this meant hospitals without on-site cardiology programs would be allowed to perform emergency angioplasties if they met the published guidelines of the American College of Cardiology and the American Heart Association. He explained that in 2003 healthcare reform bills had been

introduced with provision to allow hospitals without open heart surgery facilities to perform emergency angioplasties. He stated that at that time he had enlisted the help of Senator Atwater who agreed to push for this health care reform bill. He stated that the House version of the 2003 Health Care Reform Bill died in May 2003.

Mr. Guttman further summarized additional efforts in 2004 on this issue including a strategy that called for a second stand alone emergency angioplasty bill sponsored by Senator Atwater. He further spoke of Town officials and Civic Association members who had visited Tallahassee to lobby in favor of this emergency angioplasty bill.

Mr. Guttman spoke of a new law requiring licensure requirements for Level 1 and 2 adult interventional cardiology programs. While Florida's CON program still applied to pediatric cardiac intervention programs, only hospitals with a Level 2 license may perform open heart surgery. The new law also required that the Florida Agency for Healthcare Administration establish licensure rules. He added that drafts of these rules were scheduled to be released soon and might attempt to harmonize the statutory exemption from Florida CON's system under the new licensure regime. He stated that currently AHA was still granting exemptions for emergency angioplasty. He added that despite the "green light" Good Sam was still not offering emergency angioplasty. He commented regarding statements made by Good Sam's CEO, Paul Echlard, on behalf of the hospital with regard to providing emergency angioplasty. He felt that Mr. Echlard did not want to embrace the alternative emergency angioplasty provision 408.036 (3)(0) until the hospital reached the state's threshold figure of 300 such procedures. Mr. Guttman read aloud sections of relevant Florida statutes on this issue. He explained that Good Sam did not have to do 300 diagnostic cardiac catheterizations every year in order to do emergency angioplasties. He concluded by stating that more work was needed on this issue and stressed that the community needed the open eyes of its own hospital.

Commissioner Stein wanted to have an official request issued to see the report prepared by Tenet Healthcare's cardiology consultant. He also asked whether a patient was better off having emergency angioplasty at Good Sam where there were serious questions about the volume of business and the on-site team or being transported elsewhere where the teams were present and where the facilities were more up to date. Mr. Guttman stated that for angioplasty procedures time was not normally of the essence as these were normally

scheduled. However, he stressed that time was critical in the midst of a heart attack.

Commissioner Friedman stated that the Commission had heard that Good Sam was "inept" and spoke of specific instances that displayed the hospital's inability to meet service needs. Mr. Guttman stated that where emergency procedures were concerned there was not much of a choice but to go to Good Sam but stated that residents had a choice regarding elective procedures. He asked that the hospital live up to its name and do the right thing for heart attack victims.

Commissioner Stein read aloud from a prepared statement voicing his views on the discussions held so far. He recommended the employment of outside professional consultants to thoroughly examine the community's needs and evaluate available providers and academic programs, among other such measures, as a full audit of the community's healthcare system. He stated that West Palm Beach should share an interest in this issue. He felt that this issue should not be complicated by other issues such as managed care reimbursement, and tort reform as these were essentially political issues. Commissioner Stein wanted a sharp focus on the medical needs of the community. He added that this audit would also provide valuable information for the brochure the Commission was planning to publish.

Chairman Dennis agreed with these views and felt they were in line with the goals of the Mayor and the Town Council.

Mr. Guttman suggested that Palm Beach residents consider abandoning the healthcare district and creating a community hospital.

(ii) State Senator Jeff Atwater

(iii)

Senator Atwater stressed the community's need for quality healthcare. He voiced his frustration about the runaround the community had been given. He stated that since legislation had been passed in favor of emergency angioplasty, five other state hospitals had pursued the state's exemption. He read aloud a March 15, 2004, statement from Good Samaritan's then CEO, Mr. Freymuller, which stated the hospital was ready to provide emergency angioplasty services if legislation was passed allowing this. Senator Atwater requested a straight answer and honest feedback for the community. He felt the hurdle outlined in the statute for emergency angioplasty of 75 interventions by a specialist was an

extremely low hurdle. He felt this was an issue of whether or not the hospital wished to provide a straight answer.

Chairman Dennis thanked Senator Atwater and Mr. Guttman for their efforts.

Commissioner Dr. Traverse voiced his concern that there was not a single physician under age 45 at Good Samaritan. He stressed that the community deserved the best and brightest doctors but stated that younger physicians did not want to come to Palm Beach, mainly due to liability costs.

Chairman Dennis opened the discussion to the public.

Mr. Bill Diamond felt it was disturbing that Good Sam appeared to be a hospital but could not provide certain critical services. He felt that this would put some people's lives at risk. He stressed that the Commission should inform the public in Palm Beach and West Palm Beach as to where critical services were available and discourage residents from going to facilities that could not meet their needs.

Mr. Wyett, member of the Town Council, and speaking as a resident, spoke of his efforts pursuing legislation on this issue. He stressed the need for a local facility for both heart attack and stroke. He spoke of a recent meeting he had attended with hospital officials, including representatives of Tenet Healthcare, where it became evident to him that the issue at Good Sam was money and not medicine. He stated that Good Sam was willing to offer angioplasty if the Town paid for it. He also spoke of negotiations he had held with Cleveland Clinic and advised that they also needed money as an incentive to come to Palm Beach. He suggested that a foundation could raise the money needed to bring Cleveland Clinic's first class diagnostic center to the area.

Chairman Dennis invited Mr. Wyatt to cooperate in a community wide effort to put together a program that would be best for a community hospital.

Mr. Guttman stated that it was a grave mistake for individual citizens to try to negotiate with Good Samaritan. He stressed the importance of citizens going through Chairman Dennis and the Commission.

Mr. Jimmy Zisson spoke of exploratory meetings and discussions held with physicians, donors and other medical institutions. He agreed that all

discussions should be channeled through the Commission. He felt there was room for a foundation to be involved. He suggested that Tenet Healthcare provide a commitment that it would be in the community for the long term. He suggested that Palm Beach Air Ambulance look into ways to bypass Tenet and provide critical services at this time; he suggested that near term funds should be spent on these arrangements and discouraged micromanagement of Tenet. He suggested that pressure be placed on Tenet to send their best management teams here. He stressed the need to get a commitment from Tenet that they would not sell the property.

Dr. Earl Fox, professor at University of Miami and new director of the Florida Public Health Institute, suggested three important issues be addressed: (1) the community did not have unlimited resources, (2) whether Tenet and Good Samaritan wanted to do this, and (3) whether the region want Tenet and Good Samaritan to do this. Dr. Fox advised that Paul Gianfriddo was taking over as CEO of Quantum Foundation. He spoke of opportunities to work with Quantum to provide an unbiased assessment of what should be placed in the county to improve the current healthcare situation. He felt this would help the Commission determine how hard to push Tenet and Good Samaritan.

Senator Atwater spoke of challenges facing young physicians and stated that Florida had a disproportionate patient load. He spoke of the "peer review" constitutional amendment and the "three strikes and you're out" amendment passed in 2004, which made the reviews of doctors public record. He further spoke of limitations and caps on the awarding of damages to attorneys, doctors and hospitals. He added that time was needed to see how these played out. Senator Atwater also spoke of the establishment of two new medical schools in Florida: one at FIU in Dade County, and the other at UCF in Central Florida.

Chairman Dennis agreed that the global issue of tort reform was a difficult one but felt the Commission could attack certain aspects of it.

Brian Fuller, of Palm Beach Fire Rescue, wanted to educate the public about helicopter usage for cardiac transport. He summarized the process of what happened during a cardiac and stroke event. He advised the fire rescue teams trained daily to recognize cardiac emergencies. He added that the helicopters got patients to the hospital faster but did not provide treatments beyond what was currently provide. He stated that the helicopter was only used for trauma situations. Mr. Fuller stated that there were no therapies provided in the hospital

for a cardiac chest pain patient that were not currently provided by Palm Beach Fire Rescue personnel.

Mr. Wyett asked Mr. Fuller what happened in a stroke event if a neurosurgeon was not on duty. Mr. Fuller stated neurosurgeons were supposed to be there according to licensure requirements. Mr. Wyett stressed the need for a neurosurgeon on staff at all times. Mr. Fuller agreed and stated that stroke was the greatest concern of any community.

The Commission took the following actions:

Commission Member Furlaud made a motion, seconded by Commission Member. Friedman, to officially request a copy of the O'Gara Report. In a voice vote, all voted unanimously in favor. (Motion passed 6-0)

Commission Member Stein made a motion, seconded by Commission Member Friedman, to establish a joint commission on hospital accreditation and to have the state review this. In a voice vote, all voted unanimously in favor. (Motion passed 6-0)

It was stated that the Palm Beach County Medical Department would be helpful in gathering information for survey.

Gerald Goldsmith requested that the foundations provide background information on where monies came from and what was being done with them.

Dr. Stein stated that going forward, it would be more useful for this to be pursued as a combined effort. He felt it did not serve a mutual purpose for Good Sam to operate at one level and the Commission at another. He spoke against separate operations.

Mr. Wyett welcomed any member of the Commission to join him at any meeting. He stated that the meetings were held to discuss how to implement what was needed in Palm Beach.

Dr. Betty Campazzi, a resident, stated that she had worked for the Commission on joint accreditation of hospitals. She added that she held a nursing degree from Johns Hopkins and offered her help on this effort.

(iii) Carey O'Donnell

Ms. O'Donnell updated the Commission on the progress of the brochure's design. She indicated that she had brought samples of content and pagination. She also distributed estimates on creative services and copy development fees. Ms. O'Donnell summarized the layout and content of the brochure while Commission members followed along in samples provided.

A Commission member requested that the brochure provide information on places within 30 minutes' driving time from this building.

After brief discussion, Ms. O'Donnell stated she would revise the brochure to include 24 pages and return it for the Commission's notes.

Summary of Commission Budget Items

Chairman Dennis advised that Dr. Traverse had put together a review of the Commission budget items.

Dr. Traverse summarized suggestions and plans made to improve health care at Good Sam and for the community. He spoke of visits made to numerous medical facilities to gather information on what was good in the community and what was not. He stated that a medical crisis had crept upon the community and reiterated that Palm Beach County was not attracting any young physicians, age 45 and younger. He wanted a survey to be done to identify the ages of doctors in the community. Dr. Traverse gave examples of communities that paid off young doctors' student loans to attract them to their areas. He also proposed the involvement of hospitals, donors and legal charity entities in the development of an organization that money could be funded into. He added that this organization could pay off doctors' student loans at the rate of 20% per year for 5 years. He further stated that this organization could work with developers to provide low cost housing as part of their luxury developments near Good Sam.

Dr. Traverse advised that West Palm Beach Commissioner, Kimberly Mitchell, had indicated she and her associates were working on the issue of providing lower cost housing for medical personnel. He stressed the need to

work with different universities and hospitals to pursue bringing the best and brightest medical personnel to the area.

Dr. Traverse stated that the next step would be to hold a theme conference on the physician/nursing crisis in order to come up with solutions. He also stressed the need to work with other communities to coordinate everyone's best efforts. He also spoke of the role played by tort reform in contributing to the health care crisis in the community.

Dr. Traverse proposed hiring an administrative person who would be dedicated full time to working on these goals. He further spoke of the need for legal expertise to set up a not-for-profit legal vehicle for donors to the Commission's program. He stressed the need for a significant operating budget to pursue all these objectives.

The Commission members spoke of the costs that should be budgeted in order to pursue the goals outlined.

After further discussion, the Commission agreed upon the following goals:

1. The Commission should identify what was needed at Good Sam then consult with an expert on what would be ideal for the community
2. The Commission should again speak with Good Sam/Tenet officials to get their response to the objectives outlined.
3. The Commission should further ask Good Sam/Tenet officials about their intentions.
4. The Commission should ask Judy Goodman for whatever it needed from Tenet Corporation.
5. The Commission should pursue funding for necessary surveys.

V. COMMENTS FROM THE PUBLIC

VI. NEXT MEETING DATE – DECEMBER 7, 2006

Chairman Dennis scheduled the Commission's next meeting for December 7, 2006.

VII. ANY OTHER MATTERS

There were none.

VIII. ADJOURNMENT

There being no further business, the Medical Care Commission meeting held on December 5, 2006, was adjourned at 1:05 p.m.

APPROVED:

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Michael Dennis, M.D.
Chairman