

**REPORT OF THE MEDICAL CARE COMMISSION MEETING
HELD ON APRIL 25, 2006**

I. CALL TO ORDER AND ROLL CALL

The meeting of the Medical Care Commission was called to order on Tuesday, April 25, 2006 at 9:30 a.m. in the Town Council Chambers. Chairman Michael Dennis wanted it recorded that all the panel members were present except Commission Member Norman Traverse and that Vice Chairman Friedman may not be attending today's meeting. Commission Member Norman Traverse arrived at 9:35 a.m. and Vice Chairman Robert Friedman arrived at 10:30 a.m.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Dennis

III. APPROVAL OF AGENDA

The Agenda was re-arranged so that the minutes would be considered as a later item and Mr. William Koch was the first speaker.

Chairman Dennis then welcomed Sarah E. Hannah, Assistant Town Manager, as the staff associate who will be overseeing the Commission.

IV. PRESENTATION FROM WILLIAM INGRAHAM KOCH, PRESIDENT OF OXBOW GROUP

Mr. Koch, a former member of the Board of Directors and Executive Committee of University Hospital in Boston, thanked the Commission for inviting him to speak. He said he understands that a lot of residents (including himself) in the Town are extremely concerned about what would happen to them if they had a stroke, heart attack or something that needed immediate medical care. It seems that a lot of major hospitals come to Palm Beach to hold major fundraising events but do not want to set up a facility here. The reasons being:

- Regulations are too severe
- Season is short, therefore no constant flow of patients
- Not a lot of research for young doctors

The Cleveland Clinic has two facilities in Florida, which are both struggling, particularly one in Tampa where they have a hard time keeping doctors.

In terms of solution, he approached the Cleveland Clinic about working with Good Samaritan and they were reluctant to invest in Palm Beach. Mr. Koch suggests setting up a triage hospital at either Good Samaritan or another location. Resources would be put in to get patients the immediate attention they need. Funds would need to be raised for the project. We could start with a small project (such as radiology) with thought of expanding, probably into stroke care and then expanding that into a triage hospital.

Dr. Dennis questioned the concept of setting up a radiology program. He posed the following questions:

- Would this program be concurrent with what Good Samaritan is talking about in terms of serving as a second opinion?
- Is there any dialogue with any of the local hospitals?

Mr. Koch replied that he had not had any dialogue with any of the local hospitals but has had some dialogue with some of the local doctors who mentioned that radiology, other than for routine care, is inadequate.

Mr. Stein commented that the idea of a triage hospital was very complicated and questioned whether an academic institution has been considered to “set up shop” in this community. Mr. Koch replied that Mass General and Cleveland Clinic did not want to do it. Their reasons being:

- The regulatory environment down here.
- It’s hard to keep very good, young doctors here.

Mr. Stein mentioned that one reason for the lack of good, young doctors here is the lack of academic facilities for them to maintain their skills. He mentioned that the University of Miami has a medical program that they brought up to Boca Raton and Jupiter. Mr. Koch commented that UM would have the hard problem of sending doctors here because they would prefer to be back in Miami where the action is.

Dr. Dennis added that they had made contact with the University of Miami who are moving northward with their affiliations to FAU (thinking of leapfrogging PBC) and go into Martin County.

Mr. Stein pointed out that he was involved in the building of Long Island Jewish Medical Center in New York. It grew to be the teaching hospital for Stony Brook University which is as far away from LIJ as we are from Miami.

Mr. Goldblum informed the commission that Morse Geriatric has a fellowship program with the University of Miami where doctors are trained in geriatric care. Morse pays UM and is partially reimbursed by the State. Maybe a similar program could be set up with doctors here on certain days. Mr. Koch pointed out that we should address the concern of the residents, which is getting immediate care if they have a stroke. Dr. Dennis pointed out that there are now several hospitals with stroke care – JFK, St. Mary's and Columbia.

Dr. Traverse added that we are losing older doctors and young ones are not replacing them. He suggested setting up a hybrid hospital with a nonprofit group, especially one with sovereign immunity. Dr. Dennis pointed out that groups with sovereign immunity were federally qualified health centers.

Dr. Dennis asked the Commission and the public if there were any other questions. There were none. He then thanked Mr. Koch for his presentation.

V. PRESENTATION FROM TENNA WILES, EXECUTIVE DIRECTOR,
PALM BEACH COUNTY MEDICAL SOCIETY

Dr. Dennis then introduced Tenna Wiles, Executive Director of Palm Beach County Medical Society. The Society, founded in 1919, is the organized voice of physicians in PBC and is a 501© (6) professional organization with 1200 members, who are either MDs or DOs. A Board of Directors who are all physicians elected by the members governs the Society. Medical malpractice is one of the common issues facing physicians which the Society is trying to address.

Palm Beach County Medical Society Services is a 501©(3) charitable organization addressing some of the issues facing health care in the nation. They are leaders in tort reform who actually organized to express displeasure at the medical malpractice issues facing the community. There are now more physicians choosing to self-insure for economic reasons.

The mission of Palm Beach County Medical Society Services, which has been in existence since the year 2000, is to provide and coordinate continuing education for physicians and healthcare providers, to inform and advocate to the public on healthcare issues, to improve access to care, to collect and study information on delivery system and

to recognize groups and individuals who strive to improve the quality of care in our community. They have taken on the following major initiatives:

- Help emergency response coalitions in preparing the community for mass disaster (training exercises, planning, works with emergency management in the event of a disaster)
- Medical Reserve Corps – Federally funded program that registers and trains physicians for their response in a disaster. The Corps currently has 250 members.
- Project Access – provides care to the uninsured. Twenty percent of population in Palm Beach County is uninsured. Eight out of ten families are working, do not have health insurance and do not qualify for subsidized programs. Recruits physicians to handle these patients. The program was launched with the help of the Quantum Foundation. There are now 120 physicians in this program. Physicians have immunity from lawsuits.
- Emergency Department Management Group (EDMG) –
 - i) Physicians are being asked to see too many patients in a short time
 - ii) Liability and perceived risk in emergency room

Dr. Dennis questioned the issue of funding, specifically assistance from the Health Care District of Palm Beach County. Ms. Wiles replied that there was some open dialogue with the Health Care District and that a presentation was being made tonight to EDMG that the Health Care District has been working on. It has not yet been presented to the board of the Health Care District. It will be up to the EDMG to decide how they would like to proceed. Dr. Dennis requested that the Commission be kept abreast of this development.

In response to Dr. Dennis, Ms. Wiles added that the expert witness reform is being voted on in the Senate today. This reform is asking that expert witnesses called to testify in a medical malpractice case should be certified in the state of Florida and that experts from outside the state be registered with the state of Florida. In both instances they need to be in the same specialty.

Dr. Traverse asked if there was any recruiting of physicians being carried out in the area and trying to find out what are the problems and solutions. Ms. Wiles informed him that they will be conducting a survey in this regard.

Dr. Dennis said that this Commission was considering conducting its own survey but would love to collaborate with the Palm Beach County Medical Society if they were already making good progress with the survey.

Mr. Goldblum inquired about the costs of the survey. Ms. Wiles replied that even though they had some funding from the Quantum Foundation, they needed to broaden the scope of funding for the project. She further stated that the survey would cost about \$40K.

Dr. Dennis questioned the mechanism under which immunity was issued as regards Project Access. Ms. Wiles said that the immunity was granted under the volunteer Florida statutes through the DOH as long as the patient was 200% under the federal poverty level.

Mr. Friedman commented that a Representative from Vermont is putting forth a bill where they would set up a commission in each state to validate the credibility of a case against a doctor before they allow it to go to Court.

Mayor McDonald asked Ms. Wiles to give a brief summary of the support or non-support the Medical Society has had from the PBC Congressional delegation. Ms. Wiles replied that they have had strong support from Congressmen Foley and Shaw.

Dr. Dennis then thanked Ms. Wiles for her presentation.

Dr. Dennis then went back to the Agenda items. He reported that Ms. Hannah would like to know how Commission members would like to receive the agenda packet. Ms. Hannah inquired if they would like it e-mailed, faxed, picked up or if it should be delivered. The consensus was e-mail to all members.

Dr. Dennis revisited the idea of site visits to the various hospitals. Mr. Stein replied in favor of the visits. Mr. Friedman said he would like to visit the following hospitals:

JFK Medical Center
St. Mary's Hospital
Good Samaritan Hospital
Palm Beach Gardens Medical Center

Dr. Dennis requested that Columbia Hospital be added to the list as it is now a huge stroke management hospital. Dr. Dennis mentioned that there were some logistics involved as well as Sunshine issues with these site visits. Ms. Hannah informed the commission that since all the commissioners would be meeting together at these sites, the information would have to be made public and invite the public to attend. Minutes would have to be recorded at the visits.

Molly Ferguson of Florida Community Health Centers clarified that FoundCare strictly deals with comprehensive AIDS program. Mr. Friedman inquired as to the relationship of Florida Community Health Centers and the Quantum Foundation. Quantum provides generous funding for the program and will provide operating costs during the first 2-3 years for the community health center as well as building the new center.

Motion to pursue dialogue with Mr. Koch, Ms. Wiles and with the FoundCare model. On call of the Chairman, the motion carried unanimously.

Chief Edward Moran, Palm Beach Fire-Rescue addressed the commission on the following issues:

- Equipment replacement schedule
- Personnel
- Budgeting process

Mr. Goldblum brought up the issue of the faster movement of patient from home to ambulance. Chief Moran responded on the following issues:

- Time on scene of emergency
- Number of people on scene

Mr. Furlaud inquired about the use of a helicopter to transport a trauma patient. Chief Moran verified that they have approvals for use of three predetermined landing sites within the town following strict trauma transport protocols. The helicopter is brought in when it has been determined that the patient has been declared as a trauma alert and if it's going to be over a certain amount of time to transport the patient to one of the two trauma centers. In response to Mr. Furlaud, Chief Moran clarified that the helicopters available are for trauma only and are not set up for transporting stroke patients.

VI. APPROVAL OF COMMISSION REPORTS FOR MARCH 21 AND MARCH 28, 2006

Deferred to May 2, 2006 Medical Care Commission Meeting.

VII. COMMENTS FROM THE PUBLIC

Mrs. Barbaree Meaney addressed the commission about the poor treatment she and her husband received at Good Samaritan Hospital. Her husband was 78 years old and had a fractured 5th and 6th vertebrae. They were told by Dr. Graber that it was a simple

operation. Mr. Meaney was admitted to the hospital on March 13th. Mrs. Meaney left the hospital at midnight with the intention to return to pick him up the next morning. At about 2 a.m. she received a call that her husband had died from a massive heart attack. She did not order an autopsy as she was told it was a heart attack. On receipt of the death certificate about a month later the cause of death was noted as "sudden unexplained death". Everyone at Good Samaritan seemed to be passing the buck. Dr. Graber referred her to Dr. Rodman, the anesthesiologist, who said his job ended when the surgery was complete. Good Samaritan said they only provide the operating room and the doctor is an independent contractor. She cannot sue because the doctor does not have malpractice insurance.

Mr. Stein remarked that what happened with Mr. Meaney was an unspeakable tragedy which should not have happened.

Dr. Dennis asked Ms. Hannah to gather data on each hospital's accreditation.

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING FUTURE COMMISSION ACTIVITY

Members were asked to think of possible speakers for future meetings.

IX. NEXT MEETING: MAY 2, 2006 at 9:00 a.m.

Dr. Dennis informed the commission that next week's meeting would begin at 9 a.m. Dwight Chenette, Chief Executive Officer of the Health Care District of Palm Beach County will be the main presenter.

X. ANY OTHER MATTERS

Dr. Dennis reported that the survey reminder cards will be mailed out this week. Currently there is a 20% return on the survey. The report will be available within 6-8 weeks.

XI. ADJOURNMENT

The meeting of the Medical Care Commission of April 25, 2006 was adjourned at 11:30 a.m.

Michael Dennis, M.D., Chairman

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