

DRAFT MEETING MINUTES

Agency for Health Care Administration
Pediatric Cardiac Technical Advisory Panel
Date: March 21, 2024
Time: 4:00 PM – 5:00 PM EST
Location: Online Webinar

Members Present: Frank Scholl, MD, Chair; Shelly Church; Eric Eason, DO; Tom Forbes, MD; Joseph Forbes, MD; T-Y Hsia, MD; Blaine John, MD; Jarrod Knudson, MD; Jorge McCormack, MD; Anthony Rossi, MD; Todd Roth, MD; Ruby Monica Sanford, APRN; Rajesh Shenoy, MD; and Micheal Shillingford, MD.

Staff Present: Kimberly Smoak, Deputy Secretary for Health Quality Assurance; Julia Smith, Senior Attorney; Jamie Bustos, Bureau Chief of the Florida Center for Health Information and Transparency; Patricia Vidal, Administrator; Sketch Piers, Dylan Dunlap, Adrienne Henderson, Amy Wheeler, Carson Merlo, Thomas Tran, Dana Watson and Jennifer Fell, Florida Center staff.

Interested Parties: William Blanchard; Kristin Dobson; James Fudge; Amy Haddon; Cora Merritt; Emily Reeves; Jason Rodriguez; Christina Samper; Gail Simpson; and Dusty Stern.

Welcome, Call to Order, Roll Call and Meeting Minutes: Dr. Frank Scholl, Chair, introduced himself, welcomed guest and panelist and called the Pediatric Cardiac Technical Advisory Panel (PCTAP or Panel) meeting to order. Roll call was taken, and a quorum was present. Dr. Scholl gave an overview of the meeting agenda and turned the meeting over to Jaime Bustos for agency updates.

Agency Updates: Jaime Bustos provided an overview of recent agency developments, highlighting key legislative actions and their potential impact on healthcare in Florida. He began by mentioning the Live Healthy Bill (Senate Bill 7016), recently signed by Governor Ron DeSantis. This bill introduces advanced training programs to enhance Florida's healthcare workforce and removes certain regulations to improve workforce mobility and access to quality healthcare. Additionally, it establishes a training and education funding program called Teach and sets requirements for designated advanced birth centers.

Another significant legislative initiative mentioned was House Bill 309, focusing on Rural Emergency Hospitals. This bill creates a new hospital license classification in response to a new Medicare certification option for rural emergency hospitals, allowing them to provide emergency and outpatient services for a higher rate of reimbursement without meeting all the requirements of a full-service hospital. The agency's healthcare policy oversight team is actively assessing the potential impacts of this bill and working on an implementation plan.

Mr. Bustos also took the opportunity to introduce Carson Merlo, a recent addition to the PCTAP team. Carson has been instrumental in preparing materials and supporting the panel's activities since joining the team in December. Carson briefly introduced himself, expressing his enthusiasm for working with the dedicated PCTAP team and contributing to its mission.

Dr. Scholl mentioned upcoming votes for the PCTAP Chair and Vice Chair positions in December. Mr. Bustos added clarification regarding the two-year term limit for voting members, emphasizing that members may serve a maximum of two consecutive two-year terms, subject to the discretion of their hospital CEOs. Dr. Scholl encouraged members to ensure their seats are filled and to communicate with their CEOs regarding ongoing membership.

Dr. Jorge McCormack sought clarification on how the term limits apply to at-large members. Dr. Scholl explained that at-large members are appointed by the Secretary of AHCA, Jason Weida, for two-year terms, with opportunities for reappointment based on the Secretary's discretion.

STS Contract Update: Mr. Bustos provided an update on the STS contract, noting that the contract is in a final approvable state, and efforts are underway to finalize its execution. The contract includes an Exhibit B, which is the Data Sharing Consent and Release Form. This form authorizes STS and their data warehouse service provider to use and transfer data for compiling, distributing, and licensing hospital facility-specific reports. He emphasized the importance of obtaining signatures on the Exhibit B form from participating surgeons and hospital representatives. He encouraged panel members to reach out to their CEOs to expedite the signature collection process.

Dr. Scholl reiterated the significance of obtaining these signatures, as it is essential for the formal execution of the agreement. He also emphasized the importance of reminding CEOs about the contract to ensure timely completion and facilitate the launch of the statewide report on the AHCA website.

Rule Discussion: Mr. Bustos introduced Kimberly Smoak, Deputy Secretary for Health Quality Assurance, to provide an update on rule discussion.

Deputy Secretary Smoak began by outlining the agency's priorities regarding rulemaking. She explained that while the pediatric cardiac rule has been under consideration, the current focus is on proceeding with negotiated rulemaking for the transplant program, both organ and bone marrow. This sequential approach prioritizes completing the transplant rule before proceeding with the pediatric cardiac rule. She expressed gratitude for the panel's input on the pediatric cardiac rule draft, noting its value for future negotiations. Ms. Smoak clarified that although the pediatric cardiac rule remains on the agenda, the immediate priority is finalizing the transplant rule.

Dr. Scholl emphasized the importance of adhering to the established timeline for rulemaking. He emphasized the opportunity for panel members to provide feedback during the negotiated rulemaking process and assured that their voices would be heard. He encouraged panel members to stay engaged and emphasized the ultimate goal of improving outcomes and access to care for pediatric patients statewide.

Public Comment: There were no public comments.

Plan for Presentations and Standardizing Format: Dr. Scholl addressed the panel regarding the history and challenges associated with conducting site visits under AHCA, particularly due to the constraints imposed by the Sunshine Law. He explained that while site visits involving multiple panel members are challenging, the Secretary expressed openness to presentations from each site, serving as an alternative approach.

Dr. Scholl emphasized the need for further clarification on the format, location, and logistics of these presentations. He proposed a meeting with AHCA Secretary, Jason Weida, to discuss these details and sought input from panel members on designing the process within the confines of the Sunshine Law. He also suggested inviting Sunshine law experts to provide updates on panel operations periodically.

Mr. Bustos confirmed the plan to request a meeting with Secretary Weida to address these concerns and offered assistance in compiling a standardized format for presentations. Dr. Scholl suggested making this discussion an agenda item for the next meeting to gather input from all members. The panel agreed to await further instructions after the legislative session and to actively participate in shaping the presentation format moving forward.

Public Comment: Dr. William Blanchard shared insights based on his extensive experience within the CMS system, emphasizing the merits of Secretary Weida's proposal for presentations. He highlighted the importance of transparency, collegiality, and sharing best practices. Dr. Scholl acknowledged Dr. Blanchard's expertise and expressed a desire for his involvement in shaping the presentations, aiming to foster collaboration and improvement among healthcare programs. Dr. Blanchard expressed willingness to accompany Dr. Scholl in meeting with Secretary Weida to further discuss the presentation format.

Additionally, Dr. Blanchard paid tribute to the late Dr. Gerold Schiebler, highlighting his significant contributions to pediatric healthcare advocacy in Florida. Following Dr. Blanchard's comments, Dr. Scholl expressed condolences for Dr. Schiebler's passing and proposed a collaborative effort with AHCA to honor his legacy.

Dr. Alfred Asante-Korang raised a question regarding the negotiated rulemaking for transportation services, seeking clarification on the process and requirements. Deputy Secretary Smoak provided insights into the rulemaking process, particularly regarding the repeal of the certificate of need in 2019 and the subsequent need for rulemaking for certain programs.

Dr. Eric Eason inquired about resources for understanding the rulemaking process in more detail. Deputy Secretary Smoak offered to provide links to the agency's rules page and reiterated the commitment to a collaborative approach in moving forward with rulemaking efforts.

Dr. Scholl emphasized the importance of building relationships with AHCA staff to facilitate collaboration and productivity within the panel.

Meeting Summary & Next Steps: During the meeting, agency updates were provided by Mr. Bustos, including information on two new bills. Carson will send an email synopsis of these bills to panel members for their reference. It was emphasized that panel members should reach out to their hospital CEOs regarding panel membership, alternates, and the STS contract, urging them to respond promptly. The role of the panel was discussed, with Ms. Smoak providing an update on the rulemaking process and the upcoming negotiated rule for the PCTAP. A meeting request will be sent to Secretary Weida to discuss the vision for presentations and move forward with improving cardiac care for children in Florida. The meeting also acknowledged the loss of Dr. Gerold Schiebler, with gratitude expressed for his contributions. The next meeting will include updates on the Secretary Weida meeting and a presentation on the Sunshine Law.

Call to Adjourn: Dr. Scholl, Chair, made the motion to adjourn the meeting at 4:51 pm.

Action Items:

1. AHCA Staff to send email synopsis of new bills to all panel members
2. Panel Members to reach out to their hospital's CEOs for panel membership, alternates, and the STS contract form signature
3. AHCA Staff to request meeting with Secretary Weida to discuss presentation formatting
4. AHCA Staff Attorney to provide presentation on Sunshine Law