



Hospital Survey Insights from the OIG



October 9, 2019 • 10:00 AM - 3:00 PM EST
1375 S. Broadway • The Campbell House • Lexington, KY 40504

Join KHA to learn directly from surveyors from the Kentucky Office of the Inspector General (OIG) and other experts so your facility can be better prepared for OIG surveys. Surveyors, a legal expert and hospital leaders will discuss the basics of an OIG survey, immediate jeopardy and real-world scenarios. Plus, as a participant, you will have the opportunity to ask questions to further enhance your understanding.

To register for this event, go to:
www.kyha.com/events

Space is limited to 150 attendees, so please register early!

Seminar Fees:

Early Bird Fee (before September 30)..... **\$75.00**
Seminar Fee (after September 30)..... **\$90.00**

Cancellations

A refund of registration fees will be made to those registrants notifying **Laurie Gutermuth** at lgutermuth@kyha.com of cancellation five (5) working days prior to program date. A \$40 processing fee will be assessed against each refund. No refunds will be made after that date. Substitutions are accepted.

Services for Physically Challenged Individuals

We wish to take reasonable steps to ensure no individual who is physically challenged is discriminated against because of the absence of auxiliary aids and services. If special arrangements or diet are required for an individual to participate in this program, please contact us at (502) 426-6220.

Continuing Education Credit

Nurses: This program is approved by the Kentucky Board of Nursing for 4.2 contact hours. The program offering number is 5-0023-12-19-167 with an expiration date of December 31, 2019. The Kentucky Board of Nursing approval of individual nursing education provider does not constitute endorsement of program content. Participants must attend the entire session and complete the evaluation. Those desiring continuing education credit must have their nursing license number at registration.

ACHE: The Kentucky Hospital Association is authorized to award 1.5 hour of Face-to-Face Education Credit for this program. Participants wishing to receive continuing education credit must sign in and complete an evaluation.

Attorneys: The Kentucky Hospital Research and Education Foundation (KHREF) has applied for 3.5 hours of continuing legal education (CLE) credits. CLE credit hours are currently pending.

For More Information

Laurie Gutermuth
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Speakers from the Kentucky Office of the Inspector General

Susan A. Moberly, BSN, MBA, RN/NCI
Nurse Consultant/Inspector
Kentucky Cabinet for Health & Family Services and Office of the Inspector General
Frankfort

Since 2011, Susan Moberly has served as a nurse consultant/inspector (NCI) for the Kentucky Office of the Inspector General. She surveys ESRDs, ambulatory surgical centers, hospitals, hospices and home health agencies for which she has received extensive training. Formerly, she worked in Medical-Surgical areas; as Clinical Director of Obstetrics and Women’s Health; and Director, Quality Management at Pattie A. Clay Hospital (now Baptist Health Richmond).

Moberly earned a Bachelors of Business Administration, a Bachelors of Science in Nursing and a Masters of Business Administration from Eastern Kentucky University.

Melanie Poynter
Assistant Director, Office of the Inspector General
Frankfort

Melanie Poynter joined the Office of Inspector General in 2000 as a compliance analyst for 7 years. In this position, she provided technical assistance on licensing and certification actions for hospitals (all types), adult day health facilities, prescribed pediatric extended care facilities and many other licensee types. She then worked for 6 years in the Office of Vital Statistics as a liaison to stakeholders and the general public, and also as a Section Supervisor. Poynter resumed her career with the OIG in February 2013 as an Assistant Director and currently oversees enforcement actions and provides technical assistance on complex licensing and certification issues. Prior to her work with state government, she worked in Lexington for 6 years at a residential treatment facility for boys and girls ages 6-13.

Poynter holds a Bachelor of Arts degree with a double major in Psychology and English Teaching from Eastern Kentucky University.

Panel Discussion

Moderator:

Wesley R. Butler, JD

Barnett Benvenuti & Butler PLLC

Wesley R. Butler is a founding attorney with the firm of Barnett Benvenuti & Butler, PLLC. He works exclusively in health law areas, with a particular focus on regulatory matters. Prior to founding Barnett Benvenuti & Butler, Butler served as General Counsel for Kentucky's Cabinet for Health and Family Services providing legal guidance to Kentucky's health oversight agencies, including Medicaid, Certificate of Need, the Office of the Inspector General and Public Health. Since returning to private practice, his practice has focused on representing health care providers on a variety of regulatory and health policy issues. He is a frequent speaker on health law matters, including speaking engagements and in-service training sessions for federal and state government agencies. Butler has served as a Special Justice to the Kentucky Supreme Court and is perennially recognized by The Best Lawyers in America® in the area of Health Care Law.

Butler earned his law degree from the University of Kentucky College of Law. He is admitted to practice in the United States Supreme Court and all state and federal courts for the Commonwealth of Kentucky.

Panelists

Jennifer RoBards, RN

KentuckyOne Health

Currently, Jennifer RoBards is KentuckyOne Health's director of accreditation & regulatory compliance for the Louisville region and director of quality, risk and safety for the Louisville market ambulatory sites. RoBards has 44 years of experience in health

care in the Louisville market from unit clerk to chief operating officer. She has spent the majority of those years in the specialty of quality, risk, and regulatory/accreditation. She also has experience in not-for-profit organizations, for-profit health care system and non-profit organizations.

RoBards has degrees in nursing, integrated science and leadership/management.

Cheryl Harrison, JD

Baptist Health

Cheryl Harrison serves as senior litigation counsel at Baptist Health, where she has been employed since 2013. In her role at Baptist, Harrison manages claims and provides legal advice and guidance to hospitals and physicians on all areas of potential litigation and risk, as well as regulatory and accreditation-related matters involving patient care. Prior to Baptist Health, Harrison was in private practice – first as an associate at Sheffer Law Firm, where she represented health care providers on medical and professional liability claims, and then as a partner at L. Forgy & Associates, where she represented nursing home clients in nursing home liability matters, and also provided general legal advice regarding patient care, regulatory and compliance-related issues.

Harrison earned her law degree from the Brandeis School of Law at the University of Louisville in 2003, where she was a published member of the Journal of Law & Education. She graduated from Bellarmine College in 1999 with a Bachelor of Arts after double majoring in psychology and sociology. She is a member of the Kentucky and Indiana Bar Associations and is admitted to practice in the state courts of Kentucky and Indiana, the United States Districts Courts for the Eastern and Western Districts of Kentucky and the Sixth Circuit Court of Appeals.

Event Agenda

10:00 - 11:00 AM - Survey 101

Susan A. Moberly, BSN, MBA, RN/NCI

OIG's authorities for survey (state licensure and federal certification) will discuss:

- Conditions of Participation
- State Operations Manual and survey process and procedures
- Hospital and Surveyor interactions – expectations from entry, interviews, documents and exit

11:00 AM - 12:00 PM - Enforcement Process

Melanie Poynter

Learn directly from the OIG what happens when one or more Conditions of Participation (COP) are not met and/or adverse action of a state license:

- What a hospital can expect when Immediate Jeopardy (IJ) is suspected
- The new IJ template process
- The CMS-2567, Credible Allegation of Compliance
- Most common Condition level deficiencies cited in recent years
- Short question and answer session with the OIG representatives

12:00 - 1:30 PM - Lunch (provided)

1:30 - 3:00 PM

Navigating the Hospital Survey: The Providers Perspective - Panel Discussion (ACHE 1.5 Face-to-Face Credit)

Moderator:

Wes Butler, JD

Barnett Benvenuti & Butler

Panelists:

Jennifer RoBards, RN

KentuckyOne Health

Cheryl Harrison, JD

Baptist Health

Discussion of topics from real-world scenarios that include the perspectives of a hospital regarding the survey process:

- Proven suggestions to facilitate a productive survey
- Common obstacles to a productive survey
- Hypotheticals and Scenarios – how to handle the survey "curveball"
- Legal issues and perspectives
- Questions and answers with the moderator and panel

