

the Reporter

Illinois Hospital Association



March 19, 2007

PROGRESS ON CON EXTENSION

Two bills that would extend the Certificate of Need (CON) program are moving in the General Assembly. The Senate last week voted 56 to 1 to approve **SB611**, a bill backed by IHA, to extend CON for five years. An amendment to **HB998** to extend CON until the end of this May was reported out of the Rules Committee to the House floor and is poised for a House vote as soon as this week.

IHA appreciates the efforts of Sens. Susan Garrett (D-Lake Forest), A.J. Wilhelmi (D-Crest Hill), and Dale Righter (R-Mattoon) for moving **SB611** through the Senate.

We anticipate that **HB998** will move quickly through the House and Senate and that the Governor will sign it into law before the current sunset of the CON program is scheduled to take effect April 1.

While it is clear that legislators are committed to enacting an extension of CON, some lawmakers would like to see additional reforms before supporting a longer-term extension. IHA continues to work with legislators in all four caucuses to determine which modifications and improvements to the CON program should be included in a long-term extension.

TEPID RESPONSE TO NURSE RATIOS

Several members of the Illinois House Health Care Availability and Access Committee said last week that they could not support **HB392**, a nurse staffing ratio bill, in its current form. Only after committee chair Rep. Mary Flowers (D-Chicago), the sponsor of the bill, pledged to hold the bill on second reading until a compromise could be reached with IHA and the Illinois Nurses Association (INA) – which both

oppose the bill – did the committee pass the bill out.

During the committee hearing, IHA and several nurses testified against the bill. One nurse said patients might have to be sent away if a hospital couldn't meet its staffing ratios. "When they come to the hospital, you cannot explain to them that we have a nurse-patient ratio and you can't be seen because we're at our max," said Frances Jones, an RN and supervisor at **Kenneth Hall Regional Hospital**, East St. Louis.

IHA Sr. Vice President Howard Peters noted that California is the only state to have mandated nurse staffing ratios: "Other states have seen the flaws in this approach." IHA and INA say individual hospitals working with their direct care staff should set their own staffing levels based on their own acuity model.

Members are urged to continue contacting their state lawmakers to oppose **HB392** and a similar bill in the Senate, **SB605** and can do so from IHA's web site www.ihatoday.org.

PROVENA FILES APPEAL BRIEF

Provena Covenant Medical Center, Urbana, has filed its state court brief challenging the decision by the director of the Department of Revenue denying the hospital a charitable property tax exemption. IHA, AHA, and leading state and national Catholic organizations all sought the court's permission to file friend-of-the-court briefs in support of Provena. The briefs were filed in the Circuit Court of Sangamon County on March 9.

"No court in Illinois has ever denied a property tax exemption to a charitable full service hospital, and the result should be no different

here,” said the Provena brief. “Covenant does everything the [Illinois] Supreme Court says a charity must do for an exemption.” In its brief, IHA urged the court to reverse the decision, saying that it “represents a radical departure from well-established case law on charitable property tax exemption under which Illinois charitable hospitals have enjoyed property tax exemption for at least 100 years.”

The briefs can be seen by [clicking here](#) (password required).

IHA OPPOSES HOSPITAL PRICING BILL

IHA is opposing identical bills in the Illinois House and Senate that would require hospitals to provide automatic discounts – down to 110% of Medicare rates – for all uninsured patients, even those who can afford to pay. IHA testified against **HB684** and **SB1237** – the Hospital Discriminatory Pricing Act – in committee hearings last week. While the House Health Care Availability and Access Committee held **HB684**, the Senate Public Health Committee passed **SB1237** out of committee. The House committee could vote on **HB684** as soon as this week.

The mandatory discounts in the bills would not be limited to Illinois residents. The bills would also require hospitals to calculate what Medicare would pay for each specific service provided to patients and include that information on bills.

Members are urged to contact their legislators to oppose these bills and can do so from IHA’s web site, www.ihatoday.org.

BRIEFLY NOTED...

✓ IHA has had a number of key conversations with legislators in each of the four caucuses and the Governor’s Office concerning a supplemental budget appropriation for the Hospital Assessment Program. Such an appropriation will allow the pending assessment payments for FY2007 to be made to hospitals. These conversations reflect

broad-based support in both chambers and both sides of the aisle and the Governor’s Office for the supplemental appropriation. Hospitals are not required to submit assessments to the state until after they receive the corresponding Medicaid payments from the state.

✓ Last year’s IHA Patient Safety Collaborative was featured at the 2006 Quality Colloquium at Harvard University. This year, you can be part of the movement by joining the 2007 initiative, “Working as One: Patients, Families, and Caregivers.” For more details, see IHA’s web site or contact Becky Steward at 630-276-5585 or bsteward@ihastaff.org.

✓ IHA’s new publication, *Illinois Hospitals Helping Their Communities: It’s About More Than Just the Numbers*, has been sent to all member CEOs, public relations directors, and government relations personnel. The report features examples of the many ways Illinois hospitals contribute to their communities to meet local needs and improve the quality of people’s lives. IHA also sent the publication to the General Assembly, the Illinois Congressional delegation, and the news media. It is available on our web site.

✓ A hospital-supported bill, **HR1459**, introduced by Rep. John Tanner (D-TN) would freeze the 75% Rule for inpatient rehabilitation hospitals and units at the current 60% level. IL Reps. Ray LaHood (R-18) and Peter Roskam (R-6) have signed on to the bill, a companion to **SB543**, which is co-sponsored by IL Senator Dick Durbin (D). Without legislation, the threshold is scheduled to jump to 65% beginning July 1, 2007 and 75% in July 2008.

✓ Remember to register for the Webinar, “Making the Business Case for Employing Physicians,” April 2, from 1:00-2:30 p.m. For more information, contact Barb Haller at 630-276-5474 or bhaller@ihastaff.org.