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Ambulatory Surgical Treatment Centers Licensing Board

April 5, 2023 • 10:00am - 12:00pm

Webex Meeting Access Information

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Join WebEx Meeting Number (Access Code): 2459 049 4756

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Call to Order

Members Present: Steve Gunderson, Deborah Lee Crook, Burnetta Herron, Mohammed T. Hussain

Members Absent: Theresa Cummings, Dr. Gary Silverman

Dept. Staff: Karen Senger, Stephanie Glenn, Jackie Richmond, Annette Hodge, Sean Dailey, Seulgi Han

Guest: Douglas Dorando

Introduction

Karen Senger, Division Chief of Division of Health Care Facilities & Programs called the meeting to order at 10:18 am, an announcement was made that this is the Ambulatory Surgical Treatment Centers Licensing Board Meeting with today's date being March 9, 2022.

Karen Senger reminded Members and Guests that this meeting is being conducted via WebEx and gave a brief explanation of the protocols for conducting this meeting. This is a public meeting, and it is subject to the Open Meetings Act (OMA) and a recording of this meeting is permitted. Today's meeting is being conducted via WebEx, which allows audio and other information said during this session to be recorded. By joining this session, you are automatically consenting to such recordings and if you do not consent to being recorded, then you should not join this session. This introduction statement is being read so everyone is aware that this meeting is being recorded. Role call was conducted and a quorum was established.

Approval of March 9, 2022, minutes (Vote) {Exhibit 1}

The draft minutes of the March 9, 2022, meeting minutes were reviewed and discussed by the Board. A motion was made by Board Member, Steve Gunderson to approve the minutes, 2nd motion made by Burnetta Herron and was unanimously approved, as presented.

Old Business

Simple Sterile Compounding (agenda item on hold)

New Business

The Public Health Emergency (PHE) will be canceled/resolved ending May 11, 2023.

Submission by ASC adoption of policy for Surgical smoke plume evacuation **{Exhibit 2}**

At this point, Karen Senger has only received 26% of the responses alerting that ASC's have a policy or are exempt from the policy regarding surgical smoke plume evacuation. She is hoping that anyone in the Association could reach out and remind facilities that we must have the response, or their licenses won't get renewed. We are wondering if anyone has any other ideas on how to get the word out. She thinks that some of the facilities think that it's not applicable to them, so they aren't sending in the response, but we do need a response from every facility. Deborah Lee Crook said that she could reach out to some people.

Renewal application sec. 205.130 a) 205.125 Approved surgical procedures **{Exhibit 4}**

There is a notation in our licensing regulations with the renewal application, that there must be documentation of your approved surgical procedures being performed at the facility and documentation of the consulting committee's approval. We're getting the list of procedures but not the committee's approval. This could be via signature or approved meeting minutes. This is mandated by the Code. Steve Gunderson asked how facilities are providing that list. Is it by CPT codes? If so there may be hundreds of procedures. Karen said that we are receiving them in a variety of ways and the rule does not mandate how they are sent in. Stephanie Glenn explains that mostly, she receives a surgical specialty, and then under that, they break down the procedures that are approved by the consulting committee. Mostly they will submit the list but not the approval and we need both, annually. She's looking to make sure that there is medical staff listed for the specialties. The consulting committee is credentialing the physicians to do the procedures that you are approved to do.

ASTC Data

Survey Statistics- {Exhibit 3a and Exhibit 3b, Exhibit 3c}

Karen Senger noted that there is a new federal database, recently converted, so we were unable to get data for the period. Normally we would have a report to show common deficiencies. We have a report from February of 2016 to February of 2023 (3a), but nothing from March 2023 forward – just yet.

From the 2016-2023 report, IDPH did 2007 (sounds high?) complaint surveys, 10 sample validations and 157 recertification surveys. This breaks down the types of citations, the conditions that were out and then the standards. This includes K tags and Q tags. Infection Control still stands out as your top condition along with physical environment. There have been some related to emergency preparedness, but those are few and far between. A few deficiencies related to ministration of drugs and the content of the records still seems to be high – that would be Q162 and Q181. Along with infection control, which still tends to be the higher numbers of deficiencies, but it's nice to be able to see a comparison.

Deborah asked Karen for clarification of why distinct providers is lower than the citations. Karen said that some of the providers could have the same citation for multiple years.

There is a graph (3b) that also shows the common deficiencies through the years. Common tags that are being cited in relationship to the providers comparison over a year. So 2023 is going to have less, because we are only halfway through the year.

Steve Gunderson asked if there was a place to look up what all the Q and Ktag codes are. Karen said that they are in the conditions of participation and that she would forward that link to everyone. (For reference - Appendix L - Guidance for Surveyors: Ambulatory Surgical Center, [SOM \(cms.gov\)](#) - the information you will need starts on page 37 – with the Q tags.)

The next page is an analysis of what we have as of the middle of February (2023). We have 156 licensed ASTC's. 19 of those are licensed only, 137 are Medicare certified and licensed. 47 of those are deemed or surveyed by an accrediting organization and the other 90 would be done by the Department. We have 4 initial pending license applicants and 2 pending that are seeking Medicare certification, upon receiving their license. We've had 2 closures so far this year. We've

done one initial licensure survey. I think we will keep about 5 years' worth of survey information on here for comparison purposes.

Our workload for 2022, which would have been October 2021 to September of 2022 (?), we had to survey 25% of providers. That would be 22 surveys. Of those, we conducted 23 Medicare surveys, 3 complaints, 3 initials and 7 licensed only surveys. Of the license surveys, 22 had one life safety condition of participation and physical environment citation out. Only 5 of the 29 were from a health perspective. One had no life safety deficiencies whatsoever. 3 of the 22 had no health deficiencies on their renewal. We have some that are giving excellent care and prepping. In 2023, we will have to do 21 provider certification surveys and will bring that back at the next meeting.

Board Membership Business

None

Board Membership Updates

None at this time. We have 6 vacancies and a few applicants and are basically just waiting on the Governor's office to complete their reviews.

New Member Recommendation

There was some discussion about whether we could fill some of the board positions (specifically "general public") by an employee of a facility and we found that position could not be filled by a nurse, physician, or even general office staff, as it would be a conflict. No one can have personal economic interest in an institution, place or building that is licensed. Deborah said that she would mention it to her association and see if someone has a friend or neighbor that might be interested.

Public Comment

None

Deborah did mention that she was curious about some facilities planning board issues and Karen said that she could have someone from that section come to speak to us at the next meeting.

There was also some discussion regarding the meeting's, from here forward, going back to being IN PERSON. For example, how will we be notified if a meeting gets canceled the day of. Jackie will have to reach out to everyone the week of – or day before most likely, for confirmation of attendance. If anything changes, you will all be notified as soon as possible. If there is an emergency, you will also be notified as soon as we possibly can notify you.

Next meeting dates:

- a. June 14, 2023, ● 10:00 am – 12:00 pm (122 S. Michigan Avenue, 7th Floor, Room 711 in Chicago; 525 W. Jefferson Street, 4th Floor in Springfield, and *Meeting tentatively scheduled IN PERSON.*
- b. September 13, 2023, ● 10:00 am – 12:00 pm (122 S. Michigan Avenue, 7th Floor, Room 711 in Chicago; 525 W. Jefferson Street, 4th Floor in Springfield, and *Meeting tentatively scheduled IN PERSON.*

Meeting Adjourned at 10:52 a.m.