

2007 Current Fiscal Year Report: Emergency Medical Treatment and Labor Act Technical Advisory Group

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1. Department or Agency

Department of Health and Human Services

2. Fiscal Year

2007

3. Committee or Subcommittee

Emergency Medical Treatment and Labor Act Technical Advisory Group

3b. GSA Committee No.

21490

4. Is this New During Fiscal Year?

No

5. Current Charter

11/27/2006

6. Expected Renewal Date

7. Expected Term Date

09/30/2007

8a. Was Terminated During Fiscal Year?

Yes

8b. Specific Termination Authority

30 months after the date of the first meeting

8c. Actual Term Date

09/30/2007

9. Agency Recommendation for Next Fiscal Year

Terminate

10a. Legislation Req to Terminate?

Yes

10b. Legislation Pending?

Enacted

11. Establishment Authority

Statutory (Congress Created)

12. Specific Establishment Authority

Section 945 of P.L. 108-173

13. Effective Date

12/08/2003

14. Committee Type

Continuing

14c. Presidential?

No

15. Description of Committee

Other Committee

16a. Total Number of Reports

2

16b. Report Date

02/06/2007

06/13/2007

Report Title

Report Number 5

Report Number Six

Number of Committee Reports Listed: 2

17a. Open 3 17b. Closed 16 17c. Partially Closed 0 Other Activities 0 17d. Total 19

Meetings and Dates

	Purpose	Start	End
	EMTALA and its implementation	11/02/2006	- 11/03/2006
	Public Testimony on Issues Related to EMTALA	05/03/2007	- 05/04/2007
	Public Testimony	09/17/2007	- 09/18/2007
[Action Group Subcommittee]	To review Action Subcommittee initiatives	10/05/2006	- 10/05/2006
[Action Group Subcommittee]	To review Action Subcommittee initiatives	10/19/2006	- 10/19/2006
[Action Group Subcommittee]	To review Action Subcommittee initiatives	10/26/2006	- 10/26/2006
[Action Group Subcommittee]	To review Action Subcommittee initiatives	02/22/2007	- 02/22/2007
[Action Group Subcommittee]	To review Action Subcommittee initiatives	03/15/2007	- 03/15/2007
[Action Group Subcommittee]	To review Action Subcommittee initiatives	04/05/2007	- 04/05/2007
[Action Group Subcommittee]	To review Action Subcommittee initiatives	04/19/2007	- 04/19/2007

[Action Group Subcommittee]	To review Action Subcommittee initiatives	04/26/2007	- 04/26/2007
[Action Group Subcommittee]	To review Action Subcommittee initiatives	08/24/2007	- 08/24/2007
[Action Group Subcommittee]	To review Action Subcommittee initiatives	09/04/2007	- 09/04/2007
[Action Group Subcommittee]	To review Action Subcommittee initiatives	09/10/2007	- 09/10/2007
[Framework Subcommittee]	To review Framework Subcommittee initiatives	01/24/2007	- 01/24/2007
[Framework Subcommittee]	To review Framework Subcommittee initiatives	01/29/2007	- 01/29/2007
[Framework Subcommittee]	To review Framework Subcommittee initiatives	02/12/2007	- 02/12/2007
[Framework Subcommittee]	To review Framework Subcommittee initiatives	02/16/2007	- 02/16/2007
[On-Call Subcommittee]	To review On Call Subcommittee initiatives	09/11/2007	- 09/11/2007

Number of Committee Meetings Listed: 19

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$5,371.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$40,920.00	\$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$36,720.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$5,100.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$816.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$16,719.00	\$0.00
18d. Total	\$105,646.00	\$0.00
19. Federal Staff Support Years (FTE)	1.80	1.80

20a. How does the Committee accomplish its purpose?

The Emergency Medical Treatment and Labor Act Technical Advisory Group (EMTALA TAG) shall review EMTALA regulations; provide advice and recommendations to the Secretary of the Department of Health and Human Services and the Administrator of the Centers for Medicare and Medicaid Services regarding EMTALA regulations and their application to hospitals and physicians; solicit comments and recommendations from hospitals, physicians and the public regarding the implementation of these regulations; and may disseminate information regarding the application of these regulations to hospitals, physicians and the public.

20b. How does the Committee balance its membership?

The Emergency Medical Treatment and Labor Act Technical Advisory Group will consist of 19 members including the Administrator of the Centers for Medicare and Medicaid Services (CMS) and the Inspector General of the Department of Health and Human Services (HHS), who are knowledgeable of the issues related to the committee's function and, in addition, The Secretary shall appoint the type of individuals specified in each of the following categories: Four (4) shall be selected from representatives of hospitals, including at least one public hospital having experience with the application of EMTALA and at least 2 of which have not been cited for EMTALA violations; seven (7) practicing

physicians drawn from the fields of emergency medicine, cardiology, or cardio-thoracic surgery, orthopedic surgery, neurosurgery, pediatrics or a pediatric subspecialty, obstetrics-gynecology, and psychiatry, with not more than one physician from any particular field; two (2) representatives of patients; two (2) staff persons involved in EMTALA investigations from different CMS regional offices; one (1) from a State survey agency involved in EMTALA investigations and one (1) representative from a Quality Improvement Organization, both of whom are from areas different from the two CMS regional staff members. All members must have technical expertise that will enable them to participate fully in the work of the EMTALA TAG. Appointments shall be made without discrimination on the basis of age, race, ethnicity, gender, sexual orientation, HIV status, disability, and cultural, religious or socioeconomic status.

20c. How frequent and relevant are the Committee Meetings?

Meetings shall be held at least twice a year. If the Chair is selected from among the non-Federal members, the Chair will call a meeting with the advance approval of a Government official who shall also approve the agenda and be present at all meetings. If the Chair is a Federal member, the Federal member will call the meetings, approve the agenda and serve as the Government official at the meetings. The committee meetings are relevant to provide advice and recommendations on EMTALA issues the Secretary Department of Health and Human Services and to the Administrator Centers for Medicare & Medicaid Services.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

The Medicare Prescription Drug Improvement and Modernization Act of 2003 (MMA) Section 945 P.L. 108-173 directs the Secretary of HHS to establish a Technical Advisory Group to review issues related to the Emergency Medical Treatment and Labor Act (EMTALA) and its implementation.

20e. Why is it necessary to close and/or partially closed committee meetings?

Meetings are not closed. All meetings shall be open to the public except as determined otherwise by the Secretary or other official to whom the authority has been delegated. Notices of meetings are given to the public in the Federal Register, and there will be records of the meeting proceedings kept, as required by applicable laws and departmental regulations. In the event that a portion of a meeting is closed to the public, a report will be prepared that contains at a minimum a list of members and their business addresses, the Panel's function, dates and places of meetings, and a summary of Panel activities and recommendations made during the fiscal year. A copy of the report will be provided to the Department Committee Management Officer.

21. Remarks

Section 945 of P.L. 108-173 states that the committee is to terminate 30 months after the date of its first meeting, which was held March 30-31, 2005

Designated Federal Officer

Eric F Ruiz Designated Federal Officer, FACA; Health Insurance Specialist-Division of Acute Care HAPG CMM

Committee Members	Start	End	Occupation	Member Designation
Aristeiguieta, Cesar	03/30/2005	10/01/2007	Director, California Emergency Medical Services Authority	Representative Member
Biddle, James	03/30/2005	10/01/2007	Landrum- Chester OB-Gyn Associates 222 E Ridge Road Suite 216 McAllen TX 75246-1907	Representative Member Special
Conley, Azzie	03/30/2005	10/01/2007	North Carolina Licensure and Certification Section	Government Employee (SGE) Member Regular
Guioa, Dodjie	05/01/2006	10/01/2007	EMTALA TAG Regional Coordinator	Government Employee (RGE) Member
Jaffe, Rory	09/14/2005	10/01/2007	Executive Director, Clinical Services, Office of the President, UC Davis Health System	Representative Member
Jones, Warren	03/30/2005	10/01/2007	Office of the Vice Chancellor, Jackson, Mississippi	Representative Member
Kusske, John	03/30/2005	10/01/2007	Professor of Clinical Neurosurgery Department of Neurological Surgery UCI Medical Center Bldg 3 Rt 81 Rm 313, 01 The City Drive So Orange CA 92868	Representative Member Regular Government
Levinson, Daniel	03/30/2005	10/01/2007	Office of the Inspector General, HHS	Government Employee (RGE) Member
Nelson, Julie	03/30/2005	10/01/2007	Coopersmith Gordon Schermer Owens & Nelson P.L.C. 2800 N Central Ave Suite 1000 Phoenix Arizona 85004-1007	Representative Member
Nepola, James	03/30/2005	10/01/2007	Orthopedic Trauma Surgeon	Representative Member
Pearlmutt, Mark	03/30/2005	10/01/2007	Chief Department of Emergency Medicine St. Elizabeth's Medical Center 736 Cambridge Street Boston MA 02135-2997	Representative Member
Perry, Richard	03/30/2005	10/01/2007	Surgeon and Physician 1300 N 12th Street Suite 512 Phoenix AZ 85006	Representative Member
Rosenberg, Michael	03/30/2005	10/01/2007	Assistant Professor of Medicine University of Chicago Pritzker College of Medicine Parkside Center 1875 Dempster Park Ridge IL 60068	Representative Member
Seifert, Rachel	08/01/2007	10/01/2007	Senior Vice President & General Counsel	Representative Member

Siegel, David	03/30/2005	10/01/2007	Senior Physician Consultant and Clinical Coordinator EMPATH Consulting Group 1430 Regatta Blvd Richmond CA 94804 Florida Medical Quality Assurance Inc 4350 West Cypress St Suite 900 Tampa FL 33607	Special Government Employee (SGE) Member
Thorward, Sul	01/12/2006	10/01/2007	Psychiatrist	Representative Member
Tuggle, David	03/30/2005	10/01/2007	Pediatric Surgeon/Vice Chair Department of Surgery University of Oklahoma College of Medicine 940 NE 13th Street Room 2403 Oklahoma City OK 73104	Representative Member
Weems, Kerry	08/01/2007	10/01/2007	Administrator, CMS	Regular Government Employee (RGE) Member
Yeh, Charlotte	03/30/2005	10/01/2007	Regional Administrator CMS Region 1 JFK Federal Building Room 2325 Boston MA 02043	Regular Government Employee (RGE) Member
Guioa, Dodjie [Action Group Subcommittee]	05/01/2006	10/01/2007	CMS-EMTALA TAG Regional Coordinator	Regular Government Employee (RGE) Member
Guioa, Dodjie [Action Group Subcommittee]	05/01/2006	10/01/2007	CMS-EMTALA TAG Regional Coordinator	Regular Government Employee (RGE) Member
Jaffe, Rory [Action Group Subcommittee]	09/14/2005	10/01/2007	Exec Director, Clinical Services, UC Davis Health System	Representative Member
Jaffe, Rory [Action Group Subcommittee]	09/14/2005	10/01/2007	Exec Director, Clinical Services, UC Davis Health System	Representative Member
Nelson, Julie [Action Group Subcommittee]	03/30/2005	10/01/2007	Coopersmith Gordon Schermer Owens & Nelson	Representative Member
Nelson, Julie [Action Group Subcommittee]	03/30/2005	10/01/2007	Coopersmith Gordon Schermer Owens & Nelson	Representative Member
Pearlmutter, Mark [Action Group Subcommittee]	03/30/2005	10/01/2007	Chief Department of Emergency Medicine St. Elizabeth's	Representative Member
Pearlmutter, Mark [Action Group Subcommittee]	03/30/2005	10/01/2007	Chief Department of Emergency Medicine St. Elizabeth's	Representative Member
Perry, Richard [Action Group Subcommittee]	03/30/2005	10/01/2007	Surgeon and Physician	Representative Member
Perry, Richard [Action Group Subcommittee]	03/30/2005	10/01/2007	Surgeon and Physician	Representative Member
Rosenberg, Michael [Action Group Subcommittee]	03/30/2005	10/01/2007	Assistant Professor of Medicine University of Chicago Pritzker College of Medicine	Representative Member
Rosenberg, Michael [Action Group Subcommittee]	03/30/2005	10/01/2007	Assistant Professor of Medicine University of Chicago Pritzker College of Medicine	Representative Member
Thorward, Sul [Action Group Subcommittee]	01/12/2006	10/01/2007	Psychiatrist	Representative Member
Thorward, Sul [Action Group Subcommittee]	01/12/2006	10/01/2007	Psychiatrist	Representative Member
Biddle, James [Framework Subcommittee]	03/30/2005	10/01/2007	OB/GYN Landrum-Chester OB-Gyn Associates	Representative Member

Biddle, James [Framework Subcommittee]	03/30/2005	10/01/2007	OB/GYN Landrum-Chester OB-Gyn Associates	Representative Member
Jones, Warren [Framework Subcommittee]	03/30/2005	10/01/2007	Office of the Vice Chancellor	Representative Member
Jones, Warren [Framework Subcommittee]	03/30/2005	10/01/2007	Office of the Vice Chancellor	Representative Member Regular Government Employee (RGE) Member Regular
Yeh, Charlotte [Framework Subcommittee]	03/30/2005	10/01/2007	CMS Boston Regional Administrator	Government Employee (RGE) Member Regular Government Employee (RGE) Member
Yeh, Charlotte [Framework Subcommittee]	03/30/2005	10/01/2007	CMS Boston Regional Administrator	Government Employee (RGE) Member
Aristeiguieta, Cesar [On-Call Subcommittee]	03/30/2005	10/01/2007	Director, California Emergency Medical Services Authority	Representative Member
Aristeiguieta, Cesar [On-Call Subcommittee]	03/30/2005	10/01/2007	Director, California Emergency Medical Services Authority	Representative Member
Kusske, John [On-Call Subcommittee]	03/30/2005	10/01/2007	Professor of Clinical Neurosurgery - UCI Medical Center	Representative Member
Kusske, John [On-Call Subcommittee]	03/30/2005	10/01/2007	Professor of Clinical Neurosurgery - UCI Medical Center	Representative Member
Nepola, James [On-Call Subcommittee]	03/30/2005	10/01/2007	Orthopedic Trauma Surgeon	Representative Member
Nepola, James [On-Call Subcommittee]	03/30/2005	10/01/2007	Orthopedic Trauma Surgeon	Representative Member
Seifert, Rachel [On-Call Subcommittee]	08/01/2007	10/01/2007	Senior VP of Community Health Systems	Representative Member
Seifert, Rachel [On-Call Subcommittee]	08/01/2007	10/01/2007	Senior VP of Community Health Systems	Representative Member
Thorward, Sul [On-Call Subcommittee]	01/12/2006	10/01/2007	Psychiatrist	Representative Member
Thorward, Sul [On-Call Subcommittee]	01/12/2006	10/01/2007	Psychiatrist	Representative Member
Tuggle, David [On-Call Subcommittee]	03/30/2005	10/01/2007	Pediatric Surgeon/Vice Chair Dept of Surgery University of Oklahoma College of Medicine	Representative Member
Tuggle, David [On-Call Subcommittee]	03/30/2005	10/01/2007	Pediatric Surgeon/Vice Chair Dept of Surgery University of Oklahoma College of Medicine	Representative Member

Number of Committee Members Listed: 51

Narrative Description

The committee supports the agency's mission and strategic plan by providing recommendations on how to improve implementation of EMTALA requirements.

What are the most significant program outcomes associated with this committee?

Checked if Applies

- Improvements to health or safety
- Trust in government
- Major policy changes

- Advance in scientific research
- Effective grant making
- Improved service delivery
- Increased customer satisfaction
- Implementation of laws or regulatory requirements
- Other

Outcome Comments

NA

What are the cost savings associated with this committee?

Checked if Applies

- None
- Unable to Determine
- Under \$100,000
- \$100,000 - \$500,000
- \$500,001 - \$1,000,000
- \$1,000,001 - \$5,000,000
- \$5,000,001 - \$10,000,000
- Over \$10,000,000
- Cost Savings Other

Cost Savings Comments

NA

What is the approximate Number of recommendations produced by this committee for the life of the committee?

48

Number of Recommendations Comments

while some preliminary recommendations have been developed the full set of recommendations will not be available until after the committee completes its work

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

12%

% of Recommendations Fully Implemented Comments

Those recommendation implemented were included in Inpatient Prospective Payment

System rules or Survey and Certification letters. Implementation of remainder of recommendations to be decided by the Secretary following completion of committee's work

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

0%

% of Recommendations Partially Implemented Comments

Implementation of recommendations to be decided by the Secretary following completion of committee's work

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes No Not Applicable

Agency Feedback Comments

NA

What other actions has the agency taken as a result of the committee's advice or recommendation?

	Checked if Applies
Reorganized Priorities	<input type="checkbox"/>
Reallocated resources	<input type="checkbox"/>
Issued new regulation	<input type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input type="checkbox"/>

Action Comments

NA

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

NA

How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO



Online Agency Web Site



Online Committee Web Site



Online GSA FACA Web Site



Publications



Other



Access Comments

N/A