



KHA's Current Report
May 3, 2024



President's Perspective – Gearing Up for Hospital Week 2024

National Hospital Week is right around the corner, May 12-18. The Kansas Hospital Association is looking forward to celebrating all the innovative ways hospitals are supporting and connecting to their communities. The theme, #WeAreHealthCare, ties perfectly with our current public perception campaign.

The American Hospital Association has provided [a number of resources](#) hospitals can use in celebrating hospital week. In addition, KHA is creating a toolkit of resources for our members. Assets will be shared in our online [Hospital Week Toolkit folder](#). It will include videos, social media posts and frames, a media release and more. We already have co-branded a new [Power of One video](#) with the AHA. Feel free to share this moving video with your staff or on your social channels.

We know every second of every hour of every day, Kansas hospitals and health systems mend bodies, promote wellness and give hope to patients and communities. Hospitals and health systems work together to lead innovative change, advocate for patients and train the next generation of caregivers — and it all happens when each individual health care professional joins with their colleagues, and many voices become one, to change health care for the better.

Did you know Hospital Week has been celebrated for more than 100 years? National Hospital Week began as National Hospital Day in the year 1921 as an attempt to inspire community members to support hospitals after the Spanish flu outbreak in 1918. Then, in 1953, National Hospital Day was changed to National Hospital Week.

Additionally, National Hospital Week takes place during the week of Florence Nightingale's birthday, which is May 12. The holiday shines a spotlight on hospitals, health systems and health care workers who strive to save lives daily. KHA has teamed up with the AHA and hospital associations across the country to recognize the 5,000 hospitals, health care systems, networks and others who provide care to their community. Hospital caregivers have taken on unimaginable challenges and have risen to the occasion repeatedly.

It is always refreshing to see and learn about all the activities Kansas hospitals are doing with their teams during Hospital Week. Use the hashtag #wearehealthcare in your social posts. KHA staff look forward to seeing your photos and will highlight what your hospitals and health systems are doing to celebrate health care workers and the innovative ways you are supporting and connecting with the communities you serve. Have a great Hospital Week!

--Chad Austin

New Healthworks Program to Assist with Grants

Grants can be a great way to start and/or maintain non-reimbursable programs, but the process of finding and applying for grants can be overwhelming. Healthworks has a new program to help hospitals with the challenges of finding and writing grants. Through a partnership with Affiliated Enterprise Solutions, we will provide a monthly newsletter highlighting potential grant sources, webinars to enhance grant writing skills and individual consulting options. Healthworks is hosting an informational webinar, *Grants at a Glance*, at noon on May 10, for hospitals to learn about this program.



--Jennifer Findley

CMS Revises Hospital Appendix A Interpretative Guidance for Informed Consent

There are increasing concerns about the absence of informed patient consent for the traditional practice of allowing practitioners or supervised medical, advanced practice providers, or other applicable students to perform invasive examinations on patients who are under anesthesia. Patient advocates, physicians and students have expressed concern about whether patients, especially anesthetized patients, have been sufficiently informed about this practice and whether their full consent was obtained before these educational exams were performed.

While the Centers for Medicare & Medicaid Services recognizes these patient exams are often conducted as part of the vital skills clinical students must obtain during their training and education, CMS also firmly believes patients have the right to make informed decisions on the health care services they receive so they can give their full consent, especially if those patients will be under anesthesia at the time.

CMS is reinforcing hospitals' informed consent obligations in the [interpretive guidance](#) in the State Operations Manual, Appendix A for hospitals at tag A-0955, to properly execute a well-designed informed consent form, as well as the hospital's policy and process for informed consent to perform training- and education-related examinations outside the medically necessary procedure (such as breast, pelvic, prostate and rectal examinations), particularly on anesthetized patients.

--Ron Marshall

HealthSearch Partners: Specializes in Executive Search and Recruitment for Independent Non-Profit Hospitals

APS is happy to announce its newest vendor, HealthSearch Partners. Dallas-based HealthSearch Partners specializes in recruiting for independent, not-for-profit and rural hospitals and health systems. All search efforts are conducted by experienced senior consultants and informed by extensive pre-search due diligence designed to clearly define the client's needs, objectives, challenges, personality and culture. HSP has extensive expertise in identifying the best candidates and skill sets for virtually all C-suite positions.

Visit the [APS website](#) for more information. If you have questions or need additional information, contact [Dennis George](#) at (913) 327-8730.

--Dennis George

Health Care Communicators' Efforts Honored in Statewide Competition

The Kansas Association of Health Care Communicators recently recognized Kansas hospitals and health systems for excellence in public relations and communications efforts through its Emerald Awards competition.

Emerald Awards are given annually to Kansas hospitals and health systems that excel in communications, special events, advertising, video and other categories. Three marketing professionals from Alaska, Southern California and the District of Columbia, with extensive experience in health care marketing, evaluated this year's entries for planning and research, implementation, cost-effectiveness and results.

The 2024 Emerald Awards were presented at the Kansas Association of Health Care Communicators Spring Conference on April 26, in Topeka. In addition to the 19 Emerald Awards and 29 Certificates of Merit presented this year, judges selected one entry as Best of Show. This year's Best of Show winner was "Margaret Potter – Shave to Save," by the AdventHealth marketing team in Shawnee Mission, Kan. This video told the story of an oncology nurse at AdventHealth Cancer Center who has shaved her head for the last 12 years to raise awareness and funds for patients going through cancer treatment. The video garnered national media attention and more than 20 million impressions. The [news release](#) includes a complete list of those honored.

--Cindy Samuelson

Federal and National News

Business Entities Sue to Stop FTC Noncompete Rule

Three lawsuits have been filed to stop the Federal Trade Commission from implementing its rule banning noncompete agreements across all industries in the U.S. Several trade associations, along with private businesses, have filed the suits in federal courts in Texas and Pennsylvania. All three suits allege the commission lacks statutory authority to impose the rule and rulemaking irregularities. All seek injunctive relief to prevent the rule from going into effect. The rule is slated to become effective in early September.

The U.S. District Court for the Eastern District of Texas indicated in a scheduling order that it would ensure the case pending before it was heard and decided prior to the rule's effective date. The other two courts have not issued scheduling orders or responded to motions for expedited decisions.

Agencies Release Final Nondiscrimination Regulation

The U.S. Department of Health and Human Services Office for Civil Rights and Centers for Medicare & Medicaid Services [released](#) a [final rule](#) that strengthens protections against discrimination in health care based on race, color, national origin, gender, age and disability, while expanding protections to reduce language access barriers, expand physical and digital accessibility and address bias in health technology.

HRSA Issues 340B Administrative Dispute Resolution Final Rule

The Health Resources and Services Administration [issued](#) a [rule](#) that finalizes new requirements and procedures to make the administrative dispute resolution process available to 340B covered entities. The rule now includes a 340B ADR process that will assist covered entities and manufacturers to resolve disputes regarding overcharging, duplicate discounts and diversion. The rule takes effect Tuesday, June 18.

CMS Issues Statement on Proposed LCD for Skin Substitute Grafts

The Centers for Medicare & Medicaid Services is encouraging interested parties to provide [comments](#) to Medicare Administrative Contractors who have [issued](#) a proposed local coverage determination policy about skin substitute grafts used for chronic nonhealing diabetic foot and venous leg ulcer coverage. The comment period is open until Saturday, June 8.