

# FYI Weekly

HEALTH CARE NEWS FOR VIRGINIA'S HOSPITALS AND HEALTH SYSTEMS

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## 1. VHHA in Action

Each day, VHHA actively works on behalf of its members, their employees, and Virginians to advance the interests of Virginia's hospitals and health care systems. In the past week, here are some developments of interest to Virginia hospitals and health systems:

- This week, VHHA hosted a webinar on the topic of "Getting Started with Nurse Staffing Committee Implementation." VHHA and the **Virginia Nurses Association (VNA)** spent a year developing the framework and principles for establishing Nurse Staffing Committee models in Virginia hospitals to help elevate the voices of frontline nurses in dialogue with hospital leaders regarding staffing and workforce considerations. Read more about the committee model [here](#) and access framework toolkit materials through this [link](#).
- VHHA held a meeting of the **Payor Advisory Committee** this week. The Committee is a forum for hospital payor relations and revenue cycle leaders to discuss priority issues and ongoing payor-related challenges.
- Register for the upcoming **VHHA Cybersecurity Summit**, which is scheduled to be held on July 26 from 8:30 a.m.-noon at VHHA offices (4200 Innslake Drive, Glen Allen, VA 23060). Event programming will feature informative presentations about the current cybersecurity environment. Space is limited for this event. Register to participate through this [link](#).
- This week, VHHA held a meeting of the **Healthcare Safety & Security Workgroup**, whose members include hospital safety and security leaders focused on sharing experiences, ideas, and best practices regarding current and future safety, security, violence prevention, and response activities in Virginia hospitals and health systems.
- The **U.S. Food and Drug Administration (FDA)** advises health care providers and facilities to stop using NIM Contact EMG Reinforced Endotracheal Tubes and NIM (Standard) EMG Reinforced Endotracheal Tubes by Medtronic. These neural integrity monitor (NIM)

electromyogram (EMG) endotracheal tubes are used during surgery to provide an airway for patient ventilation and to monitor EMG activity and the nerve integrity of the thyroarytenoid muscle of the larynx. Recently, Medtronic issued an Urgent Medical Device Recall notice for removal of all NIM Standard and Contact EMG endotracheal tubes from inventory due to issues with tube blockage. Read more [here](#).

- The **Centers for Medicare & Medicaid Services (CMS)** recently announced proposed Medicare payment rates for hospital outpatient and ambulatory surgical center (ASC) services in the calendar year (CY) 2025 Hospital Outpatient Prospective Payment System (OPPS) and ASC Payment System [proposed rule](#). CMS is proposing to update OPPS payment rates for CY 2025 for hospitals that meet applicable quality reporting requirements by 2.6 percent. This update is based on the projected hospital market basket percentage increase of 3 percent, reduced by 0.4 percentage points for the productivity adjustment. Using the proposed hospital market basket update, CMS also proposes to update the ASC rates for CY 2025 by 2.6 percent for ASCs that meet relevant quality reporting requirements. Public comment on the proposed rule is being accepted for 60 days through Sept. 9. The final rule will be issued in early November. Read more [here](#). CMS also issued the CY 2025 physician fee schedule [proposed rule](#) that calls for cutting the conversion factor by 2.8 percent to \$32.36 in CY 2025 (compared to \$33.29 in CY 2024), which reflects the expiration of the 2.93 percent statutory payment increase for CY 2024; a 0.00 percent conversion factor update under the Medicare Access and Children’s Health Insurance Program Reauthorization Act, and a .05 percent budget-neutrality adjustment.
- The **Substance Abuse and Mental Health Services Administration (SAMHSA)** recently announced notices of funding opportunities with a total value of \$27.5 million that are focused on improving women’s behavioral health across the United States. The notices of funding opportunities, supported with resources from the American Rescue Plan, are intended to support women’s behavioral health by expanding access to services, and enhancing the capacity of providers to identify and address mental health conditions, substance use, and gender-based violence. The funding opportunities include \$15 million for the [Community-Based Maternal Behavioral Health Services Program](#), and \$12.5 million from the [Women’s Behavioral Health Technical Assistance Center](#). Read more [here](#).
- The **U.S. District Court for the Northern District of Texas** recently [granted a motion for a preliminary injunction](#) that postpones the effective date of a **Federal Trade Commission (FTC)** [final rule](#) issued earlier this year that would restrict non-compete contracts between employers and workers. The rule, which had an effective date of Sept. 4, would make many non-compete agreements unenforceable. Under the previous standard, non-compete contract language could prohibit workers from pursuing some other employment opportunities. Organizations including the **U.S. Chamber of Commerce** pursued litigation challenging the final rule. The recent federal court order states that “the FTC lacks substantive rulemaking authority with respect to unfair methods of competition” under the applicable federal statute. The court also notes that it intends to issue a ruling “on the ultimate merits of this action” by Aug. 30.
- The **U.S. Department of Health and Human Services (HHS) Office of Inspector General (OIG)** recently announced a plan to investigate Medicare Advantage organizations’ (MAO) prior authorization denials for post-acute care after a qualifying hospital stay. According to OIG, Medicare Advantage plans must cover at least the same services as original Medicare, but MAOs may impose additional administrative requirements, such as requiring prior authorization before certain services can be provided. OIG indicates it “will examine selected MAO processes for reviewing prior authorization requests for post-acute care in

long-term acute care hospitals, inpatient rehabilitation facilities, and skilled nursing facilities” as well as “the extent to which the selected MAOs denied requests for post-acute care and examine the care settings to which patients were discharged from the hospital.” Read more [here](#).

- The **VHHA Center for Healthcare Excellence** recently published the Virginia Hospital Quality and Patient Safety Dashboard, which is a tool that will be updated quarterly to showcase average statewide hospital performance across 23 key metrics in five categories. This includes healthcare-associated infections, readmissions, mortality, safety and patient experience, and external hospital ratings. An overview of the latest results (June 2024) can be viewed [here](#).
- The **U.S. Department of Health and Human Services (HHS) Health Sector Cybersecurity Coordination Center** has issued an [alert](#) about a critical vulnerability in MOVEit, a common file transfer platform utilized in the health sector. The vulnerability exposes health care organizations to cyberattacks, especially ransomware and data breaches. The alert notes that Progress, the company that owns and operates the MOVEit platform, has released patches to fix this vulnerability. However, exploit code is also available to the public, and this vulnerability is being actively targeted by cyber threat actors. All health care organizations are strongly urged to identify any vulnerable instances of MOVEit that exist in their infrastructure and patch them as a high priority.
- VHHA actively engages with the news media to share public messaging and coordinate member media appearances to showcase the important work done by Virginia hospitals. That includes recent coverage from [Virginia Business](#), [Modern Healthcare](#), the [Roanoke Times](#), [WDBJ](#), [WSLS](#), the [Augusta Free Press](#), [Cardinal News](#), the [Roanoke Star](#), and [The Roanoker](#).

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## 2. DCJS Offers Free Sexual Exploitation Treatment and Training Services in September

Registration is now open for an upcoming **Virginia Department of Criminal Justice Services (DCJS)** five-day Sexual Exploitation Treatment & Training Services (SETTS) course developed by Trauma and Hope. The five-day course provides education and training to professionals who work with sex trafficking survivors. The in-person training is free but participants must [register](#) in advance. It is scheduled for Sept. 16-20 (9 a.m.-4 p.m. daily) in Fredericksburg, VA. Participants are responsible for their own transportation, lodging, and meals. DCJS will provide participants with hotel information prior to the training session. The address of each training location and complete details about the training will be sent to confirmed participants via e-mail. Read more [here](#) and direct questions to DCJS State Trafficking Training Coordinator Blane Sawyer at [blane.sawyer@dcjs.virginia.gov](mailto:blane.sawyer@dcjs.virginia.gov).

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## 3. HHS Issues Proposed Rule on Health Information Sharing, Interoperability

The **U.S. Department of Health and Human Services (HHS)** recently issued the Health Data, Technology, and Interoperability: Patient Engagement, Information Sharing, and Public Health Interoperability (HTI-2) [proposed rule](#). The intent of the proposed rule is to advance interoperability, improve transparency, and support the access, exchange, and the use of electronic health information. It includes certification criteria to support the technical requirements included in the **Centers for Medicare & Medicaid Services (CMS)** 2024 Interoperability and Prior Authorization final rule to facilitate electronic prior authorization.

A 60-day public comment period is expected following publication of the proposed rule in the Federal Register.

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#### 4. FDA Offers Recommendations About Blood Culture Media Bottle Supply Challenges

In response to interruptions in the supply of BD BACTEC blood culture media bottles, the **U.S. Food and Drug Administration** (FDA) is recommending that laboratories and health care providers consider conservation strategies to prioritize the use of blood culture media bottles, preserving available supplies for patients at highest risk. Current supply challenges may impact patient diagnosis, follow up patient management, and antimicrobial stewardship efforts. A list of specific conservation recommendations is available [here](#).

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#### 5. Virginia Organization for Nurse Leaders to Host Fall Conference in September

The **Virginia Organization for Nurse Leaders** (VONL) has scheduled its 2024 Fall Conference for Sept. 13 at The Westin – Richmond. The conference theme is “Mastering the Canvas: Nursing Leadership in Practice.” Continuing education credits are available to event participants. [Abstract applications for poster presentations](#) are being accepted. Questions about that process may be sent to [VONLstaff@gmail.com](mailto:VONLstaff@gmail.com); the submission deadline is Aug. 6. View event details, including the speaker lineup, and register for the conference through this [link](#).

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#### 6. VHHA *Patients Come First* Podcast Highlights Nepal Medical Mission of Carilion Clinic Surgeon

The latest episode of VHHA’s *Patients Come First* podcast features **Dr. Mark Witcher**, a functional neurosurgeon with **Carilion Clinic**, who joins us for a conversation about his work with patients experiencing movement disorders, chronic pain, epilepsy, and to discuss a recent trip he and neurosurgery residents took to a far away nation at the top of the world to help patients and share their expertise. Listen to the episode [here](#) and hear past episodes through this [link](#). Podcast episodes are also available through these podcast apps and networks: [Apple Podcast](#), [Amazon Music](#), [Spotify](#), [Pandora](#), [Google Podcasts](#), [Stitcher](#), [TuneIn](#), [SoundCloud](#), [Blubrry](#), [iHeart Radio](#), [Deezer](#), [Podbay](#), [Overcast](#), [Pocket Casts](#), the [Virginia Audio Collective](#), the [Public Health Podcast Network](#), the [World Podcast Network](#), and the [Family Podcast Network](#). The podcast can also be heard on the radio airwaves – episodes air each Sunday at 9 a.m. on 100.5 FM, 107.7 FM, 92.7 FM, and 820 AM across Central Virginia and 1650 AM in Hampton Roads, 105.1 FM and 1050 AM in Lynchburg, and Wednesdays at 1 p.m. on 93.9 FM in Richmond. Send questions, comments, feedback, or guest suggestions to [pcfpodcast@vhha.com](mailto:pcfpodcast@vhha.com). – Julian Walker

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#### 7. FDA Updates Draft Guidance on Addressing Health Care Misinformation

The **U.S. Food and Drug Administration** (FDA) is providing updated recommendations to empower companies that issue digital communications to address internet-based misinformation from third parties related to the approval of medical products. The draft guidance, [Addressing Misinformation About Medical Devices and Prescription Drugs: Questions and Answers](#), sets out a policy that supports

companies issuing such clarifying communications. [Public comment](#) about the draft guidance is being accepted through Sept. 9. Read more [here](#).

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## 8. Virginia Hospital Staff Encouraged to Complete 2024 VHHA Member Feedback Survey

VHHA is sharing the 2024 Member Feedback Survey, which provides individuals who work for VHHA member hospitals and health systems, as well as other stakeholders engaged with the Association, with an opportunity to share their insights and observations about the VHHA, its work, programming, and engagement activities. Please take a moment to complete the survey and share feedback about VHHA [here](#).

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## 9. Contribute to VHHA HosPAC to Support Health Care Public Policy Engagement

**HosPAC**, the political action committee of VHHA, is in the midst of its 2024 fundraising campaign and needs support from members of the health care community. Financial contributions of any amount, large or small, help HosPAC support candidates for state office who are committed to strengthening the health care delivery system in Virginia by growing the health care workforce, promoting access to care, and investing in public health. By supporting candidates from both parties who champion these values, HosPAC helps advance the voice of the health care community in state public policy development. Please consider contributing to HosPAC to support this important work on behalf of Virginia hospitals, health systems, and their teams. Visit this [link](#) to make contributions and contact Hannah Coley at [hcoley@vhha.com](mailto:hcoley@vhha.com) with any questions. – Hannah Coley

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## 10. Around the State

**Nancy Howell Agee**, the CEO of **Carilion Clinic**, has announced her retirement from the health system following a distinguished career in health care leadership. Agee, who began her career at Carilion in 1973 and was named Carilion's President and CEO in 2011, will step down as CEO on Sept. 30. Agee is a past Chair of the **American Hospital Association's Board of Trustees** and the **VHHA Board of Directors**. She will serve as CEO emeritus through September 2025, focusing on philanthropy, growing partnerships, and continuing to develop Carilion's reputation statewide and nationally. She will be succeeded by Carilion President and Chief Operating Officer Steve Arner. Read the full announcement from Carilion [here](#) and view a statement from VHHA through this [link](#).

**VCU Health** has named **Alok Chaudhary** as its new Vice President, Chief Data and AI Officer. He most recently served as Chief Data and Analytics Officer for **Ballad Health**. He earned a master in business administration degree from Oregon State University and a Certificate in Information Systems Management from the UC Santa Cruz Extension program in Silicon Valley. Read more [here](#). – Salinna Lor

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