

General Provisions:

In accordance with the New York State Public Health Law, all licensed physicians and physician assistants (PAs) and specialist assistants (SAs) shall report adverse events to the Patient Safety Center (PSC) of the New York State Department of Health (NYSDOH) occurring as a result of the performance of office-based surgery (OBS). OBS means any surgical or other invasive procedure, requiring general anesthesia, deep sedation or moderate sedation, and any liposuction procedure, excluding liposuction of 500 cc of fat or less under unsupplemented local anesthesia, where such surgical or other invasive or liposuction procedure is performed by a physician, PA or SA in a location other than a hospital, excluding minor procedures and procedures requiring minimal sedation. **Such adverse events shall be reported to the PSC within one business day of the occurrence of such adverse event. Failure to report this information, required under section 230-d of the Public Health Law, falls within the definition of professional misconduct. Section 6530(48) of the Education Law defines professional misconduct to include a violation of section 230-d of the Public Health Law or the regulations of Commissioner of Health enacted thereunder.**

Anesthesia Terms:

Moderate Sedation means a drug-induced depression of consciousness during which (i) the patient responds purposefully to verbal commands, either alone or accompanied by light tactile stimulation; (ii) no interventions are required to maintain a patent airway; (iii) spontaneous ventilation is adequate; and (iv) the patient's cardiovascular function is usually maintained without assistance.

Minimal Sedation means a drug-induced state during which (i) patients respond normally to verbal commands; (ii) cognitive function and coordination may be impaired; and (iii) ventilatory and cardiovascular functions are unaffected.

Minor Procedures mean (i) procedures that can be performed safely with a minimum of discomfort where the likelihood of complications requiring hospitalization is minimal; (ii) procedures performed with local or topical anesthesia; or (iii) liposuction with removal of less than 500 cc of fat under unsupplemented local anesthesia.

Reportable Adverse Events:

Patient Death within 30 Days means when a patient's death occurs within 30 days of undergoing OBS that is directly or indirectly related to the performance of the OBS.

Unplanned Transfer to a hospital means when a patient is transferred unexpectedly to a hospital as a result of undergoing OBS.

Unscheduled Hospital Admission means when a patient is admitted unexpectedly to a hospital for longer than 24 hours within 72 hours of undergoing OBS.

Any Serious or Life-Threatening Event means when a patient experiences any temporary or permanent physical loss or mental impairment of body part or bodily function; and/or any temporary or permanent physical or mental impairment that substantially limits one or more of the major life activities of the individual.

Who Must Report Adverse Events:

Any licensed physician, PA or SA directly or indirectly involved with the OBS procedure. In such a case, the expectation is that the form will be completed in its entirety, since the reporter will be part of the OBS practice.

Any licensed physician, PA or SA who believes that a patient complaint, complication, condition, emergency room visit, hospital admission or death is related to an OBS procedure. In such a case, the reporter may not be able to complete the form in its entirety, but should submit as much information as possible.