New York State | Department of Health

Office Based Surgery Update:

1. Adverse Event Reporting Reminders

Specific office-based surgery adverse events must be reported to the New York State DOH, Patient Safety Center within three business days of the occurrence of the adverse event. PHL § 230-d (1) (b) identifies the reportable OBS adverse events as:

- Patient death within thirty (30) days.
- Unplanned transfer to a hospital or emergency department visit within seventy-two (72) hours of office-based surgery for reasons related to the office-based surgery encounter.
- Unscheduled hospital admission or assignment to observation services, within seventy-two (72) hours of the office based surgery, for longer than twenty-four (24) hours.
- Any other serious or life-threatening event; defined by the National Quality Forum as Serious Reportable Events.
  - Examples of Life Threatening Events:
    - Unplanned return to the OR after discharge from an OBS office for a procedure related to the OBS procedure.
    - Surgery or invasive procedure performed on the incorrect site or person.
- Any Suspected Health Care Transmission of a bloodborne pathogen originating in their practices within three business days of becoming aware of such suspected transmission.

2. How to submit an Adverse Event Report* or medical records**:

The Office Based Surgery Adverse Event Report (AER) PDF Form is located on the DOH Website.

AERs and medical records can be submitted:

- Electronically (preferred) through the NYSDOH, Health Commerce System's Secure File Transfer (SFT) utility
  - Send to user ID **obs_smb** – Office Based Surgery Shared Mailbox.
- On paper via secure mail to the Office of Quality & Patient Safety.
  - Send to the NYS Department of Health, Attn: Colleen McClary, Office of Quality and Patient Safety, Corning Tower, Room 1938, Albany, NY 12237.

*Please note the AER form is updated periodically, therefore best practice is to retrieve the form from the OBS website whenever needed and can be filled out electronically before printing, signing and submitting.

**NYS Education Law § 6530 (28): Failing to respond within thirty days to written communications from the department of health and to make available any relevant records with respect to an inquiry is professional misconduct.

3. How to Get a Health Commerce System (HCS) Account

- HCS accounts cannot be shared.
- If no one in the practice has an HCS account, a prescribing medical professional (i.e., a Physician, Physician Assistant or Nurse Practitioner) must obtain an HCS account.
- If you use the Prescription Monitoring Program you already have access to the Health Commerce System.
- A prescribing medical professional within a practice can request an HCS account at the following Department of Health web site: https://apps.health.ny.gov/pub/top.html.
- Any prescribing medical professional who obtains an HCS account is automatically given "Director" and "HCS Coordinator" roles.
    - o The HCS Coordinator role is authorized to obtain additional accounts for both medical and non-medical office staff.
    - o To request additional accounts for other office staff, log in to the Health Commerce System at: https://commerce.health.state.ny.us/ (See the following instructions below).
    - o If you are unable to obtain your user ID and/or reset your password online please contact Commerce Account Management Unit (CAMU) Help Desk at 1-866-529-1890 or hinhpn@health.ny.gov.

4. Other ways the HCS can help your practice

- The HCS is a secure online communications system operated by the NYS Department of Health (NYSDOH) that supports the exchange of routine and emergency statewide health information by local health facilities, providers and practitioners.
    - o Practitioners can subscribe to public health alerts through the Health Alert Network.
    - o Practitioners can access registries along with other health information exchange applications.
- The SFT is a secure means by which health organizations may communicate with the NYSDOH.
- Electronic submission can cut down on costs of printing paper records and secure mailing of documentation with protected health information.

Attachments:

Directions to Upload a file for SFT on HCS.pdf
HCS Account Paperless App Process_edoc2.pdf
Instructions_for_hcs_coordinator.pdf
DOH-4431 AER 6-13.pdf
DOH-4431 Instructions 10-31.pdf