

 **STATE OF NEW YORK
DEPARTMENT OF HEALTH**

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

Wendy E. Saunders
Executive Deputy Commissioner

May 5, 2009
09-03

Dear Chief Executive Officer:

The Department has distributed numerous letters in the past outlining the obligations and responsibilities of hospitals during periods of emergency department overcrowding due to peak periods of occupancy or the increased demand for emergency department services. Hospitals and emergency departments that are overcrowded directly impact a hospital's ability not only to best meet community needs but also to respond to periods of critical need.

Emergency Department (ED) overcrowding is a hospital wide problem and demands the priority attention of hospital administration as well as the hospital's medical staff and nursing personnel. The expertise and commitment of the hospital as a whole is required for any action plan addressing overcrowding to be effective.

In order to assess the ability of New York State hospitals to respond during periods of overcrowding, the Department will begin to compile and analyze hospital-wide information collected during on-site visits. Using the data collected through the Health Emergency Response Data System (HERDS), the Department has identified a sample of hospitals that will receive a survey. This comprehensive survey will consist of interviews with ED staff and key administrative roles including the chief executive officer, bed czar, and clinical directors; medical record reviews; and observation of patient care. The Department will analyze the data collected to determine root causes, develop best practices, and disseminate the information. Information gathered during this process will help the Department to understand this issue and to develop appropriate guidance and/or regulatory/statutory remedies to assist hospitals in addressing overcrowding.

Should you have any questions or wish to discuss the information provided, you may contact Dr. John Morley, Medical Director of the Office of Health Systems Management at (518) 408-1828, or Ruth Leslie, Deputy Director of the Division of Certification and Surveillance at (518) 402-1003. Thank you for your continued support and commitment to quality patient care services.

Sincerely,

James W. Clyne, Jr.
Deputy Commissioner
Office of Health Systems Management

cc: Ms. Hennessy
Ms. Leslie
Dr. Morley
Mr. Cook