

The Virgin Islands Consortium

Territorial Hospital Board To Hold Emergency Meeting Following CMS's JFL Decertification Threat

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ST. CROIX -- V.I. Government Hospital and Health Facilities Corporation Board of Directors will hold an emergency territorial board meeting Thursday, where the Centers for Medicare and Medicaid Services threat to decertify the Juan F. Luis Hospital -- and possible measures of prevention -- is expected to be discussed. The meeting, which is open to the public, will be held at JFL.

Since issuing a press release on Thursday acknowledging the decertification threat from C.M.S., which the federal agency based on discoveries it had made at the hospital, JFL has been mum on the issue. C.M.S. said J.F.L. failed to meet Medicaid and Medicare standards for participation, and would therefore be removed from the program if

corrective measures were not implemented.

In its Thursday release, JFL said a CMS 12-page report highlighting deficiencies found at the hospital focused on its heating, ventilation and air conditioning (HVAC) system. It said the findings stem from challenges with the HVAC system including the air handlers and ductwork. Due to those findings, CMS issued an initial 90-day notice of termination, which is typical after surveys of this nature, JFL said. CMS said it would terminate its current agreement with JFL by February 27 if the hospital does not comply.

Through the release, JFL Acting CEO Richard Evangelista attempted to assure the community that there was no threat of immediate termination with CMS, stating that JFL had not been asked to provide a System Improvement Agreement (SIA).

"There were no immediate jeopardy violations found or cited from the survey held last month. CMS has asked us to provide a Plan of Correction to address the deficiencies that were identified, and our team is working aggressively to address the issue, including collaborating with the Honorable Governor Kenneth E. Mapp and Honorable Senate President Neville E. James to identify funding to correct the deficiency identified by CMS," Mr. Evangelista said.

In the 12-page report, CMS listed a myriad of deficiencies at the hospital, including problems with air-conditioning, mold and wet ceiling tiles. In August, The Consortium spoke with 8 employees of JFL's hemodialysis unit, who were staging a sit-out because of what they described as an overabundance of mold affecting their department, which is on the first floor. Some said they'd gotten sick because of the mold. They also said that the situation had deteriorated and stood the risk of affecting some 72 patients that they tended to regularly.

The 12-page CMS report said, "There was potential for any patient or staff member to get injured from slips/falls, and injuries from falling materials, and exposure to/or acquiring fungal infections that enter the hospital from the front door, hemodialysis unit, emergency room, employee entrance, and patient hallways on all units."

CMS said JFL failed to ensure that hospital-wide quality assessment and performance improvement efforts addressed facility maintenance and building improvements; a failure CMS says directly impacted patient care and safety. The hospital also failed to preserve the environment of care relative to air-conditioning.

CMS found soiled vents in JFL's surgical units 16 times, 12 times in the medical unit, 22 times in the postpartum unit and 4 times in the E.R.

If J.F.L. does not come into compliance by December 9, C.M.S. will cease to make Medicare and Medicaid reimbursements, a move that could be catastrophic for the hospital and the wider St. Croix economy.

On September 19, 2014, J.F.L. [announced that it had lost its accreditation status](#). Back then, decertification was attributed to multiple problems; most pointedly, however, was the facility's budget being halved from about \$33 million in 2008 to about \$17 million in 2014. The budget cuts had forced J.F.L. to cut back in key departments, producing a chain reaction leading to the lack of staff to perform critical tasks, nursing deficiencies and other problems.

In a letter addressed to Senate President Neville James on Wednesday, Governor Kenneth Mapp asked that the Senate move swiftly on his \$260 million [capital projects measure](#), and asked that lawmakers increase the line item for hospital repairs from \$10 million to \$20 million. [In November](#), the governor signed into law a \$247 million working capital bill, \$147 million of which was to be used for government operations, including \$25 million for the territory's hospitals.

The approval would mean floating more bonds for a government already laden with debt and suffering with a junk status credit rating — which makes interest rates higher.

“In light of the deadline to avert termination set by CMS, I urge the members of the 31st Legislature to act on my capital projects plan and to favorably consider my request to increase the line item amount to our hospitals from \$10,000,000 to an amount not to exceed \$20,000,000,” wrote Mr. Mapp. “I know there is no need for me to explain the catastrophic result of any of our hospitals losing their certification by the Center for Medicare and Medicaid Services.”