

EXHIBIT A

From: Dudek, Liz
Sent: Wednesday, April 30, 2014 1:11 PM
To: 'Jesse, Robert, MD, PhD (SES EQV)'
Cc: 'Clark, Joleen M. (SES)'
Subject: RE: Information from VA

Dr. Jesse,

Thank you for your April 25 emails providing information in response to my request for the policies and procedures relating to risk management and quality assurance (including incident reporting) utilized by the VISN8 hospitals located in Florida. Specifically the following items were requested:

1. Risk Management Policies and Procedures including the standard job description of a Risk Manager (but excluding any employee or patient specific information).
2. A description of the manner in which all new employees, both clinical and non-clinical, receive Risk Management instruction within the timeframes established by the facility and how that is documented to have occurred.
3. A description of how documentation is kept of ongoing education and training in Risk Management and risk prevention, including the importance of accurate and timely incident reporting, for all non-physician personnel working in clinical areas and providing patient care.
4. A description of the content and length of Risk Management education and training for new employees and for any routine update of non-physician personnel working in clinical areas and providing patient care.
5. A description of the facility's internal incident reporting system.
6. A description of the manner in which documentation of the regular and systematic review of incident reports is kept; and copies of such incident reports for the past 12 months (redacted to exclude patient or employee specific information).
7. Documentation of the development and institution of the investigation and analysis of the frequency and causes of incidents causing injury to patients.
8. Documentation of the development of measures to minimize the risk of injuries to patients (redacted to exclude patient or employee specific information).
9. QA or QI Committee Minutes for the past 12 months (redacted to exclude patient or employee specific information).
10. A description of how peer review is conducted and documented; and evidence of peer review activities for the past 12 months, (redacted to exclude patient or employee specific information).
11. A description of the facility's process for practitioner referral to the Florida Department of Health.

We have had a chance to review the materials presented, which we understand to be those utilized by all Department of Veterans Affairs hospitals, including those in Florida.

We understand that the documents you provided are what you believed could be produced without a formal review pursuant to the Freedom of Information Act request. Thus, it is presumed that you withheld some documents that, had they been requested through a formal Freedom of Information Act request, could have been produced. Therefore, under the Freedom of Information Act (5 U.S.C. §

552, et seq.), I am requesting the following documents: (i) all documents responsive to the above stated 11 records requests; and (ii) the last two survey reports completed by The Joint Commission for each of the VISN8 Network hospitals located in Florida: Bay Pines VA Healthcare System (now known as the C.W. Bill Young VA Medical Center in Bay Pines), West Palm Beach VA Medical Center, Miami VA Healthcare System, James A. Haley Veterans' Hospital, Malcom Randall VA Medical Center and Lake City VA Medical Center; (iii) for those documents you identified as confidential under 38 U.S.C. §5705, please provide the records prepared pursuant to 38 C.F.R. §17.501(b) that describe in advance the quality assurance activities included under the classes of healthcare quality assurance reviews listed in 38 C.F.R. §17.501 (a) that qualify the documents as confidential under 38 U.S.C. § 5705.

The information sought should be furnished, pursuant to 5 U.S.C. § 552, without any charge or at a charge reduced below the established fees because the disclosure of the information sought is in the public interest in that it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester. All information provided will be used by the Agency for Health Care Administration in its capacity as the licensing and regulatory authority that oversees hospitals in Florida and enforces the applicable federal and state regulations, statutes and rules governing hospitals pursuant to Chapters 395 and 408, Florida Statutes.

We look forward to receiving the requested information and future opportunities to share information regarding the health care services received by the Veterans of our state.

Sincerely,
Liz

Elizabeth Dudek, Secretary
Agency for Health Care Administration
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From: Jesse, Robert, MD, PhD (SES EQV) [mailto:Robert.Jesse@va.gov]
Sent: Friday, April 25, 2014 6:16 PM
To: Dudek, Liz

Cc: Clark, Joleen M. (SES)
Subject: Information from VA

Dear Secretary Dudek;

This is a second transmission in response to your request for VA documents regarding risk management and internal policies on review of employees and adverse events. I had previously sent 5 documents and attached here are the two remaining items that we are able to provide.

We are unable to provide documentation for two of your requests because such disclosure would be a violation of 38 U.S.C. § 5705. Under this statute, the information you requested can only be provided to a law enforcement agency. Thank you for your interest in the Department of Veterans Affairs and our nations' Veterans residing in the State of Florida. Please contact us if you have any further questions. The VA is committed to providing the high quality care our nations' Veterans have earned and deserve.

Bob Jesse

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