

NY Orders Airing of Hospital Reports

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Taking a stance that will give the public more information about the quality of hospitals, the state health commissioner says he will no longer accept hospital accreditation reports made by a private consulting firm if hospitals continue to insist that the findings cannot be made public.

"I cannot accept them in lieu of state inspections if the ground rules are that I must hold them in confidence," Dr. Robert Whalen, the commissioner, said from Albany in a telephone interview yesterday. "I don't think that's in the public interest."

The law requires hospitals to pass State Health Department inspections every two years as a condition for license renewal. But because of manpower and budget constrictions, Whalen has, in many instances, accepted hospital survey reports made by a private group called the Joint Commission for the Accreditation of Hospitals. Some consumer groups have been critical of commission surveys, noting that the hospitals themselves pay for the surveys, that the commission announces its inspections six weeks in advance and that the reports are rarely very critical.

Nevertheless, the Nassau-Suffolk

Hospital Council went to court last year to keep the reports confidential. If they are not kept confidential, the council said, adverse reports could be subject to public misinterpretation and inspectors might not be as frank. Last month, State Supreme Court Judge David Gibbons ruled that the commissioner must honor the hospitals' request. He said the state Freedom of Information Law does not authorize disclosure of the information.

Whalen said he intends to ask all hospitals if they will voluntarily lift their ban on disclosure of the reports. If the hospitals refuse, Whalen said, he will end his policy of accepting private survey reports and try to see that all hospitals are inspected by State Health Department officials. Results of health department inspections are open to the public. Carol McCarthy, executive vice president of the Nassau-Suffolk Hospital Council, declined immediate comment.

Whalen's move has its greatest ramifications for New York City, where, according to public interest groups, 90 per cent of the voluntary hospitals are surveyed only by the commission because state inspectors have their hands full checking on nursing homes and Medicaid mills. On Long Island, the public has had access to reports made by state inspectors.