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Death might cost hospital its Medicare funds

Agency says Abilene facility where patient died has safety issues

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WASHINGTON — Medicare officials have notified a Texas specialty hospital criticized for calling 911 to seek help for a patient after elective surgery that it will halt Medicare funding to the facility unless certain health and safety problems are corrected.

The Centers for Medicare and Medicaid Services informed West Texas Hospital in Abilene that it "no longer meets the requirements for participation in the Medicare program."

The Feb. 22 letter from Ginger Odle, chief of Medicare's division of Survey and Certification, to hospital administrator Ron Rives threatened that the hospital's agreement with Medicare will be terminated March 17 "unless the serious and immediate threat to patient health and safety is removed."

Key lawmakers in Congress had singled out the tragic death of a patient at the hospital last month to bolster their contention that specialty physician-owned hospitals skimp on basic emergency care to boost profits.

Not in compliance

Several hours after Steve Spivey, a 44-year-old truck driver from Gorman, underwent spinal disk-fusion surgery, he went into respiratory arrest. The hospital staff, unable to help him, called 911 to summon emergency assistance.

Spivey was transferred to the larger Abilene Regional Medical Center, where he died.

A review by Medicare earlier this month found the hospital was not in compliance in a number of areas, including patient rights, nursing services and emergency services.

Sen. Charles Grassley of Iowa, the ranking Republican on the Senate Finance Committee, who had criticized the hospital's performance, issued a statement calling Medicare's action "a good first step in protecting patients from a hospital with unsafe conditions."

But, Grassley added, "I have serious concerns with the fact that it took a patient death to spur action."

Planning to improve

Rives issued a statement Friday saying the hospital was conducting an internal review and will be submitting a plan of correction early next week.

"We fully anticipate that CMS will accept our plan of correction and upon revisit will certify us in full compliance with the applicable regulations," said Rives. He did not spell out what corrections officials planned on making.

Grassley has been joined by Sen. Max Baucus, D-Mont., the chairman of the Senate Finance

Committee, and Rep. Pete Stark, D-Calif., in expressing alarm at the growth of speciality hospitals.

They have also been critical of Medicare for approving federal reimbursement for patients using these facilities despite a congressionally ordered moratorium on such funding that was in effect until August. West Texas Hospital has received \$4.1 million in Medicare funds since 2005.

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