



Dr. Joseph J. Heck
Nevada State Senator, District 5
P.O. Box 530520
Henderson, NV 89053

March 8, 2008

Governor Jim Gibbons
101 N. Carson St
Carson City, NV 89701

Dear Governor Gibbons:

I am writing today in response to the current healthcare crisis in southern Nevada. I have followed the media accounts via the internet and, as a physician and legislator; I am appalled at what has transpired. I *am* currently practicing in a third world location and I can assure you that such a blatant disregard for patient safety and standards of care *do not* occur even in such remote and austere environments.

First, I commend your rapid response to this matter and strongly suggest that you immediately convene the Nevada Academy of Health to address the long-range implications of this healthcare disaster. As you are aware, I was successful in introducing and gaining passage of the legislation forming the Academy and this situation is ideally suited for its review. The expertise and varied backgrounds represented by the members of the Academy will be invaluable to the process of critically analyzing the apparent breakdown in standards of care and crafting a strategic plan to ensure such an incident never occurs again.

Further, I am drafting a letter to send to the Board of Medical Examiners urging them to immediately initiate and expeditiously complete an investigation of any physician with a fiduciary interest in any ambulatory surgery center that is found to be in violation of the community standard of care. It appears that NRS 630 does not clearly give the Board the authority to summarily suspend a license pending an investigation, and I plan to address that next legislative session.

I would also encourage the Bureau of Licensure and Certification to immediately suspend the license of any facility where *any* egregious violation is found, pending the outcome of a full investigation. Although the syringe and multi-dose medication violation is at the center of the current crisis, if one "cost-saving" measure has become common-practice, I am certain there are others.

Finally, I plan to introduce legislation next session that will require annual inspections of all free-standing ambulatory surgical centers with the cost of the inspection to be paid

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by the facility. Every session we receive requests from State agencies for more personnel. Yet at no time that I can recall during the 2005 or 2007 session did the Senate committees with jurisdiction over health professional or medical facility licensing, upon which I serve, hear from the Bureau of Licensure and Certification that they were seven years in arrears on medical facility inspections.

Thank you for your timely consideration of my requests. My constituents in Senate District 5 and all Nevadans deserve to have confidence and faith in our healthcare system. How we respond to this crisis is a critically important first step in regaining what we have already lost.

Sincerely,

A handwritten signature in black ink that reads "Joe". The signature is written in a cursive, slightly slanted style.

Dr. Joe Heck
Nevada State Senator, District 5

cc: Senate Majority Leader William Raggio
Senate Minority Leader Dina Titus
Speaker Barbara Buckley
Assembly Minority Leader Heidi Gansert