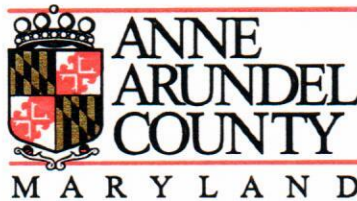


STEVEN R. SCHUH
County Executive



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July 21, 2015

Mr. Paul Parker
Director, Center for Health Care Facilities
Planning & Development
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, Maryland 21215:

Re: Anne Arundel County – Participating Entity Status
Cardiac Surgery Certificate of Need Application
Docket Nos. 15-02-2360, 15-02-2361

Dear Mr. Parker:

As Anne Arundel County Executive, I am writing to request that the Maryland Health Care Commission grant participating entity status to the County in connection with the Certificate of Need applications filed by Anne Arundel Medical Center (“AAMC”) and Baltimore Washington Medical Center (“BWMC”) to establish cardiac surgery programs.¹

Let me begin by recommending that the Commission eliminate entirely the Certificate of Need (“CON”) review for cardiac surgery programs. First, research suggests that the CON regulations do not lead to higher quality or better outcomes for cardiac surgical procedures.² Nor is CON review necessary to ensure quality of care. Cardiac surgery, like all hospital services, is already tightly regulated from a qualitative perspective by the Office of Health Care Quality, the Joint Commission, and by the ongoing risk of malpractice litigation. Second, CON review is not needed to contain costs or prevent overinvestment. Capital markets today carefully evaluate large investments in health care facilities and are better positioned to assess the financial viability of new projects than regulators. Moreover, the Health Services Cost Review Commission can check hospital overinvestment by denying rates or rate increases tied to unnecessary projects. Third, the CON review process is time-consuming and costly, and that cost creates barriers to entry for health care facilities, thereby decreasing competition and innovation.

¹ The County seeks status as a participating entity to provide written comments under COMAR 10.24.01.01(B)(30) and 10.24.01.08(F)(2).

² See, e.g., *Certificate of Need (CON) for Cardiac Care: Controversy over the Contributions of CON*, Vivian Ho, et al., Health Serv. Res. 2009 Apr. 44 (2 Pt 1): 483-500; *Contemporary Impact of State Certificate-of-Need Regulations for Cardiac Surgery*, Verdi J. DiSesa, M.D., et al., Oct. 30, 2006, doi: 10.1161/CirculationAHA.105.591214.

“Anne Arundel County: The best place to live, work and start a business in Maryland.”

If the Commission does not eliminate CON review for cardiac surgery, I strongly urge it to expand the cardiac surgery programs available to Anne Arundel County residents. The residents of Anne Arundel County need and deserve better access to cardiac surgery services than they currently possess.

The lack of proximity to a cardiac surgery program has created unnecessary risks and hardships for Anne Arundel County residents. A recent study has shown a correlation between travel time and mortality rates for coronary artery bypass graft surgery, noting that when patients and their families are burdened by travel time, it may adversely affect their health status, compliance, and general well-being.³ Moreover, patients who must be transferred from a facility in Anne Arundel County to another hospital for cardiac surgery risk delays due to travel time or the lack of an intensive care bed and denials due to the patient's insurance status. These patients are further harmed by the resulting disjointed case management, transportation costs, and the added costs of repeated diagnostics and assessments by the receiving hospital. Finally, it is a burden on patients to have to seek treatment from physicians and facilities other than those providing for their other health care needs.

The problems created by the absence of a cardiac surgery program in Anne Arundel County are likely to get worse, not better. Over 13% of Anne Arundel County's residents are 65 years old or older, and this elderly cohort is growing at a faster rate in Anne Arundel County than in Maryland as a whole. Thus, driving time for frail and aging residents in this region will become of increasing concern in the coming years.

For all of these reasons, I strongly urge the Commission to expand the cardiac surgery programs available to Anne Arundel County residents.

Sincerely,



Steve Schuh
Executive, Anne Arundel County

³ Chou S., et al., "Travel Distance and Health Outcomes for Scheduled Surgery," *Medical Care* 52:3 (2014).