

STATE OF MARYLAND

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Re: Requests for Interested Party Status
Baltimore Upper Shore Cardiac Surgery Review
Anne Arundel Medical Center – Docket No. 15-02-2360
Baltimore Washington Medical Center – Docket No. 15-02-2361

Dear Counsel, Mr. Meltzer, and Dr. Chan:

I have been appointed, pursuant to COMAR 10.24.01.09A(1)(b), to serve as Reviewer of the above-referenced applications for Certificate of Need (“CON”) filed by Anne Arundel Medical Center (“AAMC”) and University of Maryland Baltimore Washington Medical Center (“BWMC”) to establish cardiac surgery services. These applications will be reviewed on a comparative basis. I recognize both AAMC and BWMC as interested parties in this comparative review.

I have considered the requests for interested party status filed by four non-applicant general hospitals. They are MedStar Union Memorial Hospital ("UMH"), MedStar Washington Hospital Center ("WHC"), Prince George's Hospital Center ("PGHC"), and Sinai Hospital of Baltimore ("SHB"). UMH, WHC, and SHB have requested interested party status for both applications. PGHC has requested interested party status for the AAMC application. For reasons noted below, I find that, pursuant to COMAR 10.24.01.08F and COMAR 10.24.01.01B(2) and (20), each of these hospitals qualifies for interested party status in the review of the application(s) for which it seeks that status because each is authorized to provide the same service as that proposed by each applicant in the same planning region used for purposes of determining need under the State Health Plan or in a contiguous planning region, as provided in COMAR 10.24.17 and COMAR 10.24.01.01B (20)(e) and (1).

I have also considered the request for interested party status filed by the Anne Arundel County Department of Health. As provided in COMAR 10.24.01.01B(20), I recognize the Anne Arundel Department of Health as an interested party in this review because it is a local health department in the jurisdiction in which the proposed service is to be offered.

Going forward, I request that all filings in this review also be submitted via e-mail in Portable Document Format ("PDF") format to all of the parties in this review, to Ms. Ruby Potter, and to others copied on this letter ruling or on the e-mail by which this ruling is also sent. In addition, I request that all filings be sent separately to Ms. Potter in Word format, since having the filing in Word format will assist me in this review. The Word filings will remain internal documents of the Commission.

I will rule on the pending request for an evidentiary hearing at a later date. I want to remind all parties that this is a contested case and that the ex parte prohibitions in the Administrative Procedure Act, Maryland Code Ann., State Gov't §10-219, apply to this proceeding until the Commission issues a final decision.

Sincerely,



Craig Tanio, M.D.
Chair/Reviewer

cc: Leana S. Wen, M.D., Baltimore City Health Commissioner
Gregory Wm. Branch, M.D., Baltimore County Health Officer
Leland Spencer, M.D., Caroline and Kent County Health Officer
Edwin F. Singer, L.E.H.S., Carroll County Health Officer
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