



MedStar Health

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June 30, 2014

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

RE: State Health Plan for Facilities and Services:
Cardiac Surgery and Percutaneous Coronary Intervention Services
Proposed Permanent Regulations; COMAR 10.24.17

Dear Mr. Parker:

On behalf of MedStar Health I am writing to express our concerns regarding the changed definition of cardiac surgery in this proposed plan chapter based on a list of ICD-9 procedure codes provided by Anne Arundel Medical Center (comment letter dated October 21, 2013). In the proposed regulation, the following codes are proposed to be added to the definition of "cardiac surgery":¹

- 35.05 - Endovascular replacement of aortic valve
- 35.06 - Transapical replacement of aortic valve
- 35.08² - Transapical replacement of pulmonary valve
- 35.09 - Endovascular replacement of unspecified heart valve
- 35.97 - Percutaneous mitral valve repair with implant
- 37.37 - Excision or destruction of other lesion or tissue of heart, thoracoscopic approach

Our primary concern surrounds the addition of these codes to the definition without input from clinical expertise through the new Standing Advisory Committee for Cardiac Services and PCI referenced in the proposed regulations. Defining them as either surgical procedures or interventional procedures is not as straight-forward as it may appear. Most of these procedures are catheter-based procedures, or intended to be catheter-based procedures, performed by interventionalists. However, many appropriately require on site surgical back-up, and some are performed by surgeons.

The implications for including these procedures in the definition of cardiac surgery should be thoroughly explored by the Commission's Standing Advisory Committee for Regulatory Oversight of Cardiac Surgery and PCI Services. Any change in definition should, at a minimum, be discussed with this advisory group to determine what codes are appropriately defined as surgical procedures and what codes are

¹ We also note that staff has removed two procedures from the SHP's definition of cardiac surgery: pericardiotomy, 37.12, and pericardioectomy, 37.31 (Staff's Analysis of Comments Received, dated April 17, 2014)

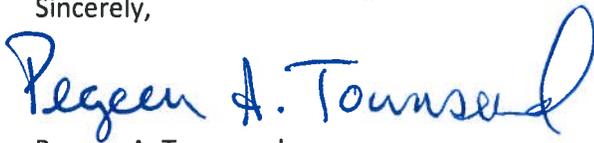
² 35.07, endovascular replacement of pulmonary valve, is inexplicably excluded from this list.

appropriately defined as interventional procedures, and updated through notification in the *Maryland Register*.

This would also allow for review of the appropriateness of all the codes included in all the definitions in the Plan, including codes which should be deleted from the definitions.

On behalf of MedStar Health, we respectfully recommend the Commission delete the recently added procedure codes from the definition of cardiac surgery in the proposed regulation, retain the codes as they appear in the current regulation, and refer the issue to the advisory committee. Thank you for your consideration of this request.

Sincerely,



Pegeen A. Townsend
Vice President, Government Affairs
MedStar Health

cc: Cheryl Lunnen