

Maryland Health Care Commission
Certificate of Need (CON) Modernization Task Force
Key Problem Statements

The problem statements below were developed based on information submitted by hospital organizations in response to MHCC's request for comments related to the modernization of Maryland's health facility planning and Certificate of Need (CON) programs. These statements also account for the information and opinions shared during the February 23, 2018 meeting of the CON Modernization Task Force.

Please note, these problem statements are specific to CON regulation of hospitals only and reflect the key themes and concerns most consistently expressed throughout the hospital comments received and in the discussion of hospital comments at the February 23 Task Force meeting. For a more comprehensive review of the information used to develop these statements please refer to the comments, the comment summary, and the meeting summary.

Problem Statements – CON Regulation of Hospitals

Portions of the State Health Plan are outdated and unclear. COMAR 10.24.07, which includes standards for acute psychiatric inpatient services, is the most outdated.

The State Health Plan does not align with the current hospital payment model.

The State Health Plan does not facilitate care delivery transformation.

The State Health Plan has too many standards that are unnecessary or do not address key priorities in hospital or hospital service development. This increases the need for MHCC resources and the complexity of the CON project review process and may be a cause for extended timelines associated with completeness review, application review following docketing, and any appeal processes.

The information requirements associated with hospital CON regulation are excessive and, in some cases, duplicative with respect to the regulatory activities of other entities (e.g. financial feasibility analysis, compliance with charity care policies),

Alternatives to conventional CON project review should be developed for certain categories of project.

Exemption from CON review is still, in many cases, insufficiently streamlined to meaningfully reduce the burden on applicants whose projects qualify for this type of review.

The current venues for the community to provide substantive input on proposed projects are inadequate. The capability to obtain broader community perspectives on regulated projects is underdeveloped.

