



MARYLAND HEALTH CARE COMMISSION

4160 PATTERSON AVENUE – BALTIMORE, MARYLAND 21215
TELEPHONE: 410-764-3460 FAX: 410-358-1236

May 20, 2021

MHCC REGULATORY GUIDANCE

Guidance Regarding Joint Venture Projects between a Licensed Maryland General Hospice and a Licensed Maryland Hospital/Health System

The Maryland Health Care Commission (Commission) is aware that there is interest among some general hospices and hospitals/health systems to establish cooperative, innovative projects along the continuum of care. This guidance is issued for a licensed Maryland general hospice that desires to establish a formal joint venture with a Maryland hospital or health system to provide hospice and specified other health care services.

The general hospice and its partner hospital/health care system must file with the Commission a request for determination of coverage that contains a detailed project description and receive a determination of coverage from Commission staff prior to implementing such a joint venture.

Please use the following guidelines to structure a request for a determination of coverage for such a joint venture:

The proposed joint venture project shall include:

1. A joint venture between a licensed Maryland general hospice and a Maryland hospital or health system;
2. The licensed Maryland general hospice shall have a minimum of five years' experience in providing Medicare-certified hospice services in Maryland;
3. The joint venture must fully detail an inter-facility (or inter-provider) partnership and a cost-reducing agreement, designed to lower the total cost of care for patients receiving hospice and other health care services provided by the joint venture;
4. The creation of the joint venture entity shall not result in the issuance of an additional Maryland hospice license, but must be done within the licensed authority of the existing Maryland hospice;

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5. The hospice shall possess current authority (through CON or through acquisition approved by the Commission that results in licensure as a Maryland general hospice) to serve each jurisdiction proposed to be served by the joint venture; a notation would be added to the Maryland hospice license to show that in each specifically designated jurisdiction the hospice will be providing services within the joint venture; and
6. If the joint venture ceases operations, any authority that involves the provision of hospice services shall revert to the existing Maryland general hospice on whose license the joint venture is listed.

Commission staff may seek further documentation regarding proposed joint venture projects.