



March 25, 2020

VIA EMAIL & U.S. MAIL

Mr. Ben Steffen
Executive Director
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, Maryland 21215

Ruby Potter
Health Facilities Coordination Officer
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, Maryland 21215

Re: Emergency Certificate of Need Application – Fahrney-Keedy Memorial Home, Inc.

Dear Mr. Steffen and Ms. Potter:

On behalf of Fahrney-Keedy Memorial Home, Inc. (“Fahrney-Keedy”) and pursuant to COMAR 10.24.01.20, I write to seek an Emergency Certificate of Need (“CON”) to Increase our skilled nursing license from 101 to 113 by converting an existing newly renovated 12 bed assisted living wing from its current assisted living certification to skilled nursing certification.

As you know, due to a world-wide outbreak of a coronavirus known as SARS-CoV-2 (“COVID-19”), the President of the United States has declared a national state of emergency, the Secretary of the United States Department of Health and Human Services has declared a public health emergency, and on March 5, 2020, the Governor of the State of Maryland, Lawrence J. Hogan, Jr., declared a state of emergency and catastrophic health emergency. Additionally, on March 16, 2020, the Governor issued an Executive Order directing the Maryland Department of Health to work with health care facilities and providers to reopen closed hospital facilities across the state and to take other measures necessary to immediately increase statewide hospital capacity. COVID-19 presents immediate hazards to the health of patients statewide, and requires immediate action pursuant to your authority under COMAR 10.24.01.20B and consistent with Governor Hogan’s Executive Order to increase inpatient hospital capacity to accommodate potential surge capacities related to COVID-19.



Fahrney-Keedy hereby applies for an Emergency Certificate of Need for the purpose of establishing increased skilled nursing capacity in preparation for an expected increase in discharges from local acute care facilities as they prepare for a surge in admissions related to the anticipated overspread of COVID-19 infection and treatment. The proposed temporary licensure change would allow us to re-purpose existed living beds for use by post acute level patients. The project will allow for an anticipated additional twelve (12) private, Skilled Nursing beds. The unit is existing, renovated and currently licensed. There will be no cost to the organization to make this temporary change.

Fahrney-Keedy also seeks a waiver from the Executive Director or designee pursuant to COMAR 10.24.01.10A(2) such that: (1) the requirement under COMAR 10.24.01.20C for the Emergency CON applicant to file a formal CON application be suspended until at least thirty (30) days after the declared state of emergency of March 5, 2020 is terminated; and (2) that any Emergency CON granted pursuant to this Emergency CON application not expire until thirty (30) days after the declared state of emergency of March 5, 2020 is terminated or 165 days after its issuance, whichever is later.

We respectfully request you to act on this request as soon as possible so that Mercy can begin work on this critically important project. Please let us know if you need any additional information regarding the requested Emergency CON Application.

Sincerely,

Stephen Coetzee, LNHA
President/CEO

CC via email:

Robert R. Neall, Secretary, Maryland department of health
Patricia T. Nay, M.D. Director, Office of Healthcare Quality
David Cherry, Maryland Department of Health



I hereby declare and affirm under the penalties of perjury that the facts stated in this Emergency Certificate of Need Application and its attachments are true and correct to the best of my knowledge, information, and belief.

March 26,2020

A handwritten signature in black ink, appearing to read 'S. Coetzee', is written above two horizontal lines.

Stephen Coetzee, LNHA
President/CEO

EXHIBIT 1

