

MARYLAND HEALTH CARE COMMISSION

Emergency Certificate of Need

TO: William N. Wiechmann, Esq.
Vice President and Regional Counsel
Mid-Atlantic States Region
Kaiser Foundation Hospitals / Health Plan
2101 East Jefferson Street, 7th Floor
Rockville, Maryland 20852

April 5, 2020
Date

RE: Kaiser Permanente Gaithersburg Medical Center
Establishment of a Temporary General Hospital with 49
Inpatient Beds to Serve Lower Intensity Patients

EM-H20-15-011
Docket No.

DESCRIPTION OF EMERGENCY PROJECT

This Emergency Certificate of Need authorizes Kaiser Permanente to establish a temporary general hospital with 49 inpatient beds to be located at the Kaiser Permanente Gaithersburg Medical Center (KP Gaithersburg) at 655 Watkins Mill Road, Gaithersburg (Montgomery County) (the Site) to treat a combination of patients who require an inpatient stay but do not require more intensive care available at existing general hospitals. Expected patients will include non-COVID-19 related, COVID-19 positive and negative, and Persons Under Investigation for COVID-19. KP Gaithersburg can also admit step-down patients from its hospital partners who need inpatient care, thereby making inpatient beds available for more acute patients at those hospitals.

The project will convert existing advanced clinical space consisting of the Site's clinical decision unit, ambulatory surgery center, and outpatient procedure suites. KP Gaithersburg has imaging Services, STAT laboratory services, and an in-house pharmacy on-site. Each bed has oxygen, Med Air, vacuum, an emergency power outlet, and a nurse call bell. The facility has advanced life support and other medical equipment already in use. If a gap in equipment is identified, needed equipment will be relocated from a Kaiser Permanente temporarily closed medical office building. Most patients will be KP members, including Kaiser privately insured, Medicare Advantage, Medicare Cost, FEHB, and Medicaid Managed Care. Consistent with EMTALA, KP Gaithersburg will triage, stabilize, treat, and transfer (as appropriate), non-KP members who present at the facility.

KP Gaithersburg expects to revert to its former use within 30 days of the termination of the state of emergency declared by Governor Lawrence J. Hogan, Jr. on March 5, 2020. The temporary general hospital is expected to come online on or before April 27, 2020, and has an estimated project cost of \$400,000.

ORDER

Upon consideration of the request of KP Gaithersburg, suitably detailed information provided by the Office of Health Care Quality (OHCQ) and others, and consultation with the Chairman of the Maryland Health Care Commission (MHCC), Ben Steffen, MHCC Executive Director, determined that the lack of sufficient inpatient bed capacity at Maryland general hospitals resulting from COVID-19 presents a hazard to patients and/or employees, as provided in COMAR 10.24.01.20A.

Therefore, it is, on April 5, 2020, ordered by the Executive Director that an Emergency Certificate of Need issue for the project. It is further ordered that the requirement in COMAR 10.24.01.20C that KP Gaithersburg file an application for Certificate of Need for the inpatient beds established in this Emergency Certificate of Need is suspended by the Executive Director pursuant to COMAR 10.24.01.10A(2) until at least 30 days after the termination of the state of emergency declared by Governor Hogan on March 5, 2020.

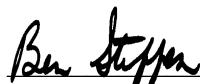
Approvals by Maryland Department of Health

This Emergency Certificate of Need does not constitute a license or replace any approvals for other aspects of the project that are required by the OHCQ or other divisions of the Maryland Department of Health to operate inpatient bed capacity at the Site.

Further Action

This Emergency Certificate of Need will be considered for confirmation by the Maryland Health Care Commission at its next scheduled meeting on April 16, 2020. This Emergency Certificate of Need initially remains in effect for a maximum of 165 days, as provided in COMAR 10.24.01.20C, or until 30 days after the termination of the state of emergency declared by Governor Hogan on March 5, 2020. The Emergency CON may be extended beyond that date for good cause shown.

MARYLAND HEALTH CARE COMMISSION



Ben Steffen
Executive Director

cc: Robert R. Neall, Secretary of Health
Patricia T. Nay, M.D., Executive Director, Office of Health Care Quality
Renee Webster, Deputy Director, Federal Programs, Office of Health Care Quality
Katie Wunderlich, Executive Director, HSCRC
Travis A. Gayles, M.D., Ph.D., Health Officer, Montgomery County