



October 28, 2021

Via E-mail and USPS

Shannon Magro
Physicians Surgery Center of Frederick
81 Thomas Johnson Court, Suite B
Frederick, MD 21702

**Re: Andochick Surgical Center, LLC, d/b/a
Physicians Surgery Center of Frederick
Addition of two sterile operating rooms and
one non-sterile procedure room
Matter # 21-10-2451**

Dear Ms. Magro:

Staff of the Maryland Health Care Commission (Commission) has reviewed the Andochick Surgical Center, LLC, d/b/a Physicians Surgery Center of Frederick, Certificate of Need (CON) application and response to the first set of completeness questions for the addition of two sterile operating rooms and one non-sterile procedure room to an existing ambulatory surgery center in Frederick County. In order to find the application complete, staff submits this second round of completeness questions that need to be answered. Please respond to the following request for additional information.

1. At the September meeting, the Commission approved the General Surgical Services chapter of the State Health Plan, which became effective on October 18, 2021. Please provide a response to the following new standards to the SHP chapter at COMAR 10 24.11.05A(1), Information Regarding Charges and Network Participation:
 - a. Each ambulatory surgery center, ambulatory surgical facility, and general hospital shall provide to the public, upon inquiry or as required by applicable regulations, the names of the health carrier networks in which it currently participates;
 - b. Each ambulatory surgery center, ambulatory surgical facility, and general hospital shall provide to the public, upon inquiry, the names of the health carrier networks in which

- each surgeon and other health care practitioner that provides services at the facility currently participates; and
- c. Providing a patient with an estimate of out-of-pocket charges prior to arrival for surgery shall be a condition of any CON issued by the Commission.
2. Regarding the response to Question 3, please reconcile whether the renovation and modifications of the operating room is for “Class C” surgery room (as stated on p. 4) or “Class B” surgery room (as stated on p. 8).
 3. Regarding the response to Question 4, please provide an update and status of the September 27, 2021 meeting with the City of Frederick Planning Commission related to zoning.
 4. Regarding the response to Question 8(e), please provide Exhibit 5, which is described on p. 9 as the “Cost for Capital Loan: Landlord and Physicians Surgery Center of Frederick Financial Responsibility.” Exhibit 5 in your completeness response is titled “Basis of Design Revised.”
 5. Regarding Question 16,
 - a. Under Exhibit 7, please identify Christopher Henry, MD’s relationship with PSCF. Also, please identify all the surgeons anticipated to move their surgical cases to PSCF in 2021 and 2022.
 - b. Under Exhibit 25, please clarify whether Alisa Kim, MD, Cory T Walsh, MD, and the four newly recruited surgeons should be included on the staff at PSCF, and if so, then please submit an Addendum B for the historical and projected surgical volume utilization for these physicians.
 6. Regarding the response to Question 17, provide Exhibit 54, which is identified on p. 13 is Table 1-2: Statistical Projections -Entire Facility and Proposed project. Exhibit 54 in your first completeness response is the PSCF lease agreement.

Please submit four copies of the responses to completeness questions and the additional information requested in this letter within ten working days of receipt. Also submit the response electronically, in both Word and PDF format, to Ruby Potter (ruby.potter@maryland.gov). Given the number of questions posed, as well as the time required for staff to compile these questions, we will certainly grant an extension to the ten day target specified in regulation as soon as you would request it.



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All information supplementing the applicant must be signed by person(s) available for cross-examination on the facts set forth in the supplementary information, who shall sign a statement as follows: "I hereby declare and affirm under the penalties of perjury that the facts stated in this application and its attachments are true and correct to the best of my knowledge, information, and belief."

Should you have any questions regarding this matter, feel free to contact me by either e-mail at bill.chan@maryland.gov or phone at (410) 764-3374.

Sincerely,

William D. Chan

William D. Chan
Program Manager

cc: Scott E. Andochick, MD
Paul Parker
Wynee Hawk, Esq.

