

MARYLAND HEALTH CARE COMMISSION

Certificate of Need

To: Sandra Benzer
General Counsel, UMCRH
110 S. Paca Street
Baltimore, Maryland 21201

Date: May 18, 2023

Re: University of Maryland Capital Region Health
Neonatal Intensive Care Unit (NICU)

Docket No.: 23-16-2464

PROJECT DESCRIPTION

University of Maryland Capital Region Health (UMCRH) will upgrade its Level II Special Care Nursery to a Level III Neonatal Intensive Care Unit (NICU) at University of Maryland Capital Region Medical Center (UMCRM) in Prince George's County, Maryland. No new construction, renovation, or other capital costs are required to implement the project, as UMCRM was constructed to provide NICU services.

ORDER

The Maryland Health Care Commission reviewed the staff report and based on that analysis and the record in this review, ORDERED, on May 18, 2023, that a Certificate of Need be issued to UMCRH to establish a NICU, subject to the following conditions:

1. University of Maryland Capital Region Health will provide documentation to MHCC that it has been surveyed by the Maryland Institute of Emergency Medical Services Systems (MIEMSS) to show compliance with the Perinatal System Standards for a Level III perinatal program and has been designated by MIEMSS as a provider of Level III perinatal service prior to implementing the Level III program.
2. After its initial survey, University of Maryland Capital Region Medical Center will maintain its MIEMSS designation in accordance with policies and procedures for periodic resurvey and re-verification of compliance with standards or this CON will become void.

PERFORMANCE REQUIREMENTS

Because there is no capital expenditure associated with the project that involves the execution of a binding construction contract as set forth in COMAR 10.24.01.12C (2) and (3) performance requirements, it is subject to a single performance requirement: Completion of the project within 6 months of the date of this Certificate of Need, that is, by November 18, 2023.

The Commission acknowledges that compliance with this performance requirement is dependent upon the timing of the required survey by MIEMSS. [COMAR 10.24.18.04B(1), Policy 1.1]. UMCRH must notify the Commission, in its quarterly status reports, when the MIEMSS survey is scheduled, and when the MIEMSS survey is completed. Failure to meet the performance requirement will render this Certificate of Need void, subject to the requirements of COMAR 10.24.01.12F through I.

PROPOSED CHANGES TO THE APPROVED PROJECT

Before making any changes to the facts in the Certificate of Need application approved by the Commission, UMCRH must notify the Commission in writing and receive Commission approval of each proposed change in accordance with COMAR 10.24.01.17.

DESIGN APPROVAL AND FACILITIES LICENSURE BY MDH

This CON does not constitute a license or replace any approvals required by the Office of Health Care Quality (OHCQ) or others within the Maryland Department of Health (MDH). UMCRH must provide OHCQ and MDH with all information required for facility licensure.

QUARTERLY STATUS REPORTS

In accordance with COMAR 10.24.01.13B. UMCRH must submit quarterly status reports to the Commission, beginning August 18, 2023, three months from the date of this Certificate of Need, and continuing at three-month intervals, until the completion of the project.

REQUEST FOR FIRST USE REVIEW

UMCRH must request in writing, not less than 60 days but not more than 120 days before the first use of the NICU, a first use review from the Commission, specifying the anticipated date of first use and documenting that the project has been substantially completed and will be completed, within 120 days or less, in a manner and consistent with this Certificate of Need. Commission staff will review the request in consultation with the Office of Health Care Quality, as provided in COMAR 10.24.01.18, to determine whether the project conforms to this Certificate of Need. First use approval does not constitute a license or replace any approvals required by OHCQ or others within MDH to operate a health care facility. Therefore, UMCRH should assure that OHCQ is notified of the imminent completion of the project and should arrange for completion of any inspections and or approvals required by OHCQ in a timely manner. First use approval remains in effect for 90 days. If first use does not occur within 90 days of approval, UMCRH shall reapply for first use approval.

ACKNOWLEDGEMENT OF RECEIPT OF CERTIFICATE OF NEED

Acknowledgement of your receipt of this Certificate of Need, stating acceptance of its terms and conditions, is required within thirty (30) days.

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MARYLAND HEALTH CARE COMMISSION



Ben Steffen
Executive Director

cc: Patricia T. Nay, M.D., Executive Director, Office of Health Care Quality
Sanmi Areola, PhD, Health Officer, Prince George's County
Dr. Ted Delbridge, Executive Director, MIEMSS