

MARYLAND HEALTH CARE COMMISSION

Modified Certificate of Need

TO: Stacy Fruhling,
Chief Operating Officer,
Hygea Detox at Camp Meade, LLC.
400 Redland Court Suite 102
Owings Mills, Maryland 21117

March 21, 2024
Date

RE: Hygea Detox at Camp Meade, LLC
Intermediate Care Facility

23-02-2468
Docket No.

PROJECT DESCRIPTION

This Certificate of Need authorizes Hygea Detox at Camp Meade, LLC. (Hygea) to establish a 16 bed Track One Intermediate Care Facility for adults providing Level 3.7 Medically Monitored Intensive Inpatient and Level 3.7WM, Medically Monitored Intensive Inpatient Withdrawal Management (Detoxification) services.

The 16 3.7/3.7WM beds will be located at 817 S. Camp Meade Road, Linthicum Heights, in Anne Arundel County at the site of a previous ICF which closed early in 2023.

As approved, The total project cost was \$136,781, with \$127,038 being paid by the applicant and \$9,742 being paid by the landlord.

As modified, the total approved project cost is increased to \$253,625, with \$241,882 being paid by the applicant, and \$11,743 being paid by the landlord. The increased cost is attributable to unanticipated expenses for fixed and movable equipment.

ORDER

1. Hygea Detox at Camp Meade LLC shall document the provision of a minimum of 15 percent of patient days to indigent and gray area patients, as defined at COMAR 10.24.14.08B(9) and (11), by submitting annual reports auditing its total days and the provision of days to indigent and gray area patients as a percentage of total days. Such

audit reports shall be submitted to the Commission each July first following the issuance of first use approval and continuing for five years thereafter;

2. Hygea Detox at Camp Meade LLC must receive preliminary accreditation for the Level 3.7 services it will provide, including withdrawal management and post-withdrawal treatment programming, by The Joint Commission (TJC) or another accrediting body approved by the Maryland Department of Health prior to First Use approval by the Commission, and must timely receive final accreditation by TJC or another approved accrediting body. [COMAR 10.24.14.05H];
3. Hygea Detox at Camp Meade LLC shall notify the Commission and the Behavioral Health Administration, in writing, within fifteen days after it receives notice that its accreditation has been revoked or suspended or should it lose its State license. If its accreditation has been revoked or suspended for reasons related to health or safety or it loses its State license, Hygea Detox at Camp Meade. LLC shall cease operation until the Behavioral Health Administration notifies the Commission that the deficiencies have been corrected. [COMAR 10.24.14.05H]; and
4. Hygea Detox at Camp Meade LLC shall document referral agreements, prior to First Use approval by the Commission, demonstrating that at least 15 percent of its annual patient days, required by COMAR 10.24.14.08, will be incurred by the indigent or gray area populations, including days paid under a contract with the Behavioral Health Administration or a jurisdictional alcohol or drug abuse authority, or the Medical Assistance program; [COMAR 10.24.14.05K(2)].

PERFORMANCE REQUIREMENTS

In accordance with COMAR 10.24.01.12C, this project is subject to the following performance requirement:

Documentation that the approved project has been implemented, licensed, met all legal requirements, and is providing the approved services no later than 18 months after the effective date of CON approval (i.e., by December 15, 2024).

1. Obligation of not less than 51 percent of the approved capital expenditure, as documented by a binding construction contract, within 18 months of the date of this Certificate of Need;
2. Initiation of construction no later than four months after the effective date of the binding construction contract; and
3. Documentation that the approved project has been completed, has been licensed, and has met all legal requirements and is providing the approved

services no later than 18 months after the effective date of the binding construction contract.

PROPOSED CHANGES TO APPROVED PROJECT

Before making any project changes in the Certificate of Need application approved by the Commission, Hygea must notify the Commission in writing and receive Commission approval of each proposed change, including the obligation of any funds above those approved by the Commission in this Certificate of Need, in accordance with COMAR 10.24.01.17.

DESIGN APPROVAL AND FACILITIES LICENSURE BY MDH

This Certificate of Need does not constitute a license or replace any approvals required by the Behavioral Health Administration (BHA), or others within the Maryland Department of Health (MDH) to construct and operate new space added to an existing facility, or to renovate space within an existing facility, Hygea must provide MDH with all information it requires for plan approval, facility licensure, and putting into operation new space added to an existing facility, or renovated space within an existing facility, including information pertaining to project design and specifications.

QUARTERLY STATUS REPORTS

Hygea must submit quarterly status reports to the Commission, beginning June 21, 2024, three months from the date of this Certificate of Need, and continuing, at three-month intervals, until the completion of the project.

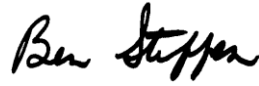
REQUEST FOR FIRST USE REVIEW

Hygea must request a first use approval from the Commission and the BHA or others in the Maryland Department of Health (MDH) specifying the anticipated date of first use. Such a request must be in writing and made before the first use of its newly renovated space for the Track Two Intermediate Care Facility. The Commission will review the request in consultation with the BHA, as provided in COMAR 10.24.01.18, and the BHA, as appropriate, 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, BHA, or others within MDH to use renovated space within an existing facility. Therefore, Hygea should assure that BHA is notified of the imminent completion of the project and should arrange for completion of any inspections and or approvals required by BHA in a timely manner. First use approval remains in effect for 90 days. If first use of the project does not occur within 90 days of approval, Hygea 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.

MARYLAND HEALTH CARE COMMISSION



Ben Steffen
Executive Director

cc: Tonii Gedin, Health Officer, Anne Arundel County
Lisa A. Burgess, MD., Acting Deputy Secretary, Behavioral Health Administration
Robby Stempler, CEO, Hygea
Mallory Regenbogen, Gallagher, Evelius and Jones