



March 15, 2023

David C. Tobin, Esquire
Tobin, O'Connor & Ewing
5335 Wisconsin Avenue, NW, Suite 700
Washington, D.C. 20015

Re: Withdrawal of Certificate of Need Application
MedStar Franklin Square Medical Center
Application to Establish Liver Transplantation Services -
Docket No.: 17-03-2406

Dear Mr. Tobin:

Thank you for your email and Letter dated March 13, 2023, informing the Commission that MedStar Franklin Square Medical Center is withdrawing the above-referenced Certificate of Need application.

The Maryland Health Care Commission accepts the withdrawal of this Certificate of Need Application. without prejudice. By copy of this letter all affected persons are notified of this action.

If you have any questions about this determination, please contact Wynnee Hawk at (410) 764-5982.

Sincerely,

Ruby Potter
Health Facilities Coordinator

cc: Conor B. O'Croinin, Esquire
Tom Dame, Esquire
Ella Aiken, Esquire
Moira Lawson, MHCC

Wynee Hawk, MHCC

Margaret Wright, Acting Health Officer, Allegany County

Nilesh Kalyanaraman, M.D., Health Officer, Anne Arundel County

Letitia Dzirasa, M.D., Health Officer, Baltimore City

Gregory W. Branch, M.D., Health Officer, Baltimore County

Laurence Polsky, M.D., Health Officer, Calvert County

Robin Cahall, Health Officer, Caroline County

Sue Doyle, Health Officer, Carroll County

Lauren Levy, J.D., MPH, Health Officer, Cecil County

Roger L. Harrell, MHA, Health Officer, Dorchester County

Barbara Brookmyer, M.D., Health Officer, Frederick County

Robert Stephens, MS, Health Officer, Garrett County

Marcy Austin, Acting Health Officer, Harford County

Maura Rossman, M.D., Health Officer, Howard County

William Webb, MPH, Health Officer, Kent County

Joseph Ciotola, M.D., Health Officer, Queen Anne's County

Meenakshi Brewster, M.D., Health Officer, St. Mary's County

Danielle Weber, MSN, RN, Health Officer, Somerset County

Maria A. Maguire, M.D., Health Officer, Talbot County

Earl E. Stoner, MPH, Health Officer, Washington County

Brandy Wink, Acting Health Officer, Wicomico County

Rebecca L. Jones, RN, MSN, Health Officer, Worcester County



March 13, 2023

Via electronic mail

Ben Steffen, Executive Director
Ms. Ruby Potter, Program Manager
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, Maryland 21215

Re: Notice of Voluntary Withdrawal
MedStar Franklin Square Medical Center, Docket No. 17-03-2406

Dear Mr. Steffen and Ms. Potter:

This will confirm that MedStar Franklin Square Medical Center (“MFSMC”) hereby voluntarily withdraws its August 14, 2017 application for a Certificate of Need in the above-referenced matter pursuant to COMAR 10.24.01.16.

With respect to the comments in the Reviewer’s March 1, 2023 letter, MFSMC wishes to make clear that, throughout this process, it has sought to provide all the information that MHCC requested. To the extent the Commission or Reviewer believes MFSMC did not do so, there was no intent to be disrespectful or non-responsive. In particular, and as described more fully in MFSMC’s February 17, 2023 letter, MedStar has not finalized long-term financial projections for its entity hospitals in recent years due to uncertainties in projecting financial performance as a consequence of the Covid-19 pandemic and its sweeping impact. MFSMC could not in good faith provide data that it has not itself relied upon in developing its plan for transplant services.

Sincerely,



David C. Tobin

Cc:

Paul Parker, Director, Health Care Facilities Planning and Development, MHCC
Wynee Hawk, Chief, CON, MHCC
Moirra Lawson, Program Manager, MHCC
Conor B. O’Croinin, Esq.
Thomas Dame, Esq.
Ella R. Aiken, Esq.
Caitlin Tepe, Assistant Attorney General
Margaret Wright, Acting Health Officer, Allegany County
Nilesh Kalyanaraman, M.D., Health Officer, Anne Arundel County
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Earl E. Stoner, MPH, Health Officer, Washington County
Brandy Wink, MS, Health Officer, Wicomico County
Rebecca L. Jones, RN, MSN, Health Officer, Worcester County

Anne P. Weiland, MSN, MBA, Vice President, MedStar Health
Stuart M. Levine, MD, President, MedStar Franklin Square Medical Center
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