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MARYLAND HEALTH CARE COMMISSION

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June 25, 2019

Via E-mail and USPS

Dana Farrakhan, FACHE
Senior Vice President
Strategy, Community and Business Development
University of Maryland Medical Center
22 S. Greene Street
Baltimore, MD 21201

**Re: University of Maryland Medical Center
Construction of Addition for Cancer Center
Matter # 19-24-2438**

Dear Ms. Farrakhan:

Staff of the Maryland Health Care Commission (“MHCC”) has reviewed the University of Maryland Medical Center’s Certificate of Need application for the addition of a 228,000 square foot, nine-story tower consisting of both new construction and renovation to the North Hospital building to expand UMMC’s Cancer Center. At this time staff has a number of questions that need to be answered in order to find the application complete. Please respond to the following request for additional information.

Part I – Project Identification and General Information

1. Please provide a response to Question #3c and address:
 - a. The future plans for re-purposing the space currently occupied by the cancer center, and
 - b. Whether the costs and time frames for renovating the inpatient beds and the existing cancer center areas are included with this project?

2. Regarding your response to Question #4, please provide the following:
 - a. The actual volumes for UMMC’s Oncology Outpatient Visits in Table 20 for years 2009 through 2018 (are these CY or FY) and UMMC’s Infusion Volumes for FY 2010 through FY 2019 in Table 21.

- b. Address how the new cancer center addition will address the problems with space for UM GCCC's Pharmacy, as discussed on pp. 6-7.
- c. Discuss how the proposed addition will allow UM GCCC to increase the use of Integrative Medicine services to cancer patients.

Part II – Project Budget

3. Regarding your response to Question #5b, Exhibit 18A describes the funding for the Comprehensive Cancer Center will finance the expansion of an expanded parking garage, outpatient areas, specialty outpatient centers, and the main hospital entrance of the Gudelsky building. This description does not identify funding for the construction of a nine-story addition which includes the inpatient oncology program on the sixth through eighth floors or the two floors for shell space. As previously requested, please provide evidence that the state has awarded \$125.0 million in grants to UMMC for the proposed Cancer Center addition.

Charity Care Policy

4. Based on the information submitted in response to Question #7, UMMC's charity care policy is not in compliance with the "Determination of Probable Eligibility" standard under COMAR 10.24.10.04A(2).

The Charity Care Standard, Subsection (2)(a)(i) sets out the requirement regarding a determination of probable eligibility. It provides that:

Within two business days following a patient's request for charity care services, application for medical assistance, or both, the hospital must make a determination of probable eligibility

The purpose of this part of the charity care standard is to give a potential patient seeking charity care an idea fairly quickly as to whether the patient will be able to obtain charity care or reduced fee services. This requirement means that a hospital should have both a policy and a simple and expeditious process that assures that a patient seeking charity care or reduced fees, will be informed of probable eligibility for charity care or reduced fee services or application for Medicaid within two business days of an initial request.

It is permissible for a hospital to have a two-step process. *Step One* may be based on an abridged set of information, but must result in the hospital communicating its determination of probable eligibility to the potential patient or patient's family within two business days of request. *Step Two*, the final determination of eligibility for charity care or reduced fees can be based on a completed application with required documentation.

Please revise UMMC's Charity Care Policy (Exhibit 21) to include the two-step process as mentioned above. UMMC's policies and procedures must make it clear what information

is required in order to issue a determination of probable eligibility and it may be as simple as conducting an interview that discusses family size, insurance, and income. A final determination may require documentation.

An example of an acceptable policy and procedure for Determination of Probable Eligibility is the April 5, 2019 Responses to Additional Information Questions provided by University of Maryland Upper Chesapeake Health (Matter # 17-12-EX004) regarding the Conversion of University of Maryland Harford Memorial Hospital to a Freestanding Medical Facility, and the applicant's response to Question #3.

Adverse Impact

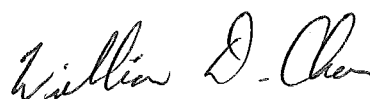
5. Regarding your response to Question #12, MHCC understands that UMMC has withdrawn its full rate application submitted to HSCRC. Taking this into account, as previously requested in the first completeness questions, please discuss whether UMMC can sustain financial viability for the proposed Cancer Center addition without receiving rate relief from HSCRC?

Please submit six 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.

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 at (410) 764-3374.

Sincerely,



William D. Chan
Program Manager, Certificate of Need

cc: Paul Parker
Kevin McDonald
Letitia Dzirasa, MD, Health Officer, Baltimore City Health Department