

Gallagher LLP

January 30, 2026

VIA EMAIL & FEDERAL EXPRESS MAIL

Ms. Deanna Dunn
Health Facilities Coordination Officer
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, Maryland 21215-2299

**Re: Ruxton SurgiCenter, LLC Supplemental Responses to
Completeness Questions dated 12-05-2025 to Establish an
Ambulatory Surgical Facility
Docket No.: 25-03-2474**

Dear Ms. Dunn:

On behalf Ruxton SurgiCenter, LLC ("RSC"), we are submitting an electronic version and four (4) hard copies of its Supplemental Responses to Completeness Questions dated December 5, 2025 and related exhibits. We will be providing a WORD version of the responses under separate email.

We hereby certify that a copy of this submission has also been forwarded to the appropriate local health planning agency as noted below.

If you have questions about the information provided above, please contact us at your convenience.

Sincerely,



Mallory Regenbogen



Alison Lutich

cc: via email
Douglas Jacobs, MD, Executive Director, MHCC

#974004

Gallagher LLP

Ms. Deanna Dunn

January 30, 2026

Page 2

Wynee Hawk, Director, Center for Health Care Facilities Planning & Development, MHCC

Ewurama Shaw-Taylor, Chief, Certificate of Need, MHCC

Amani Miles, Program Manager, Certificate of Need, MHCC

Alexa Bertinelli, Esq., Assistant Attorney General, MHCC

Caitlin E. Tepe, Assistant Attorney General, MHCC

Della Leister, Deputy Health Officer, Baltimore County Health Department

Robin Luxon, Interim President, UM SJMC

Laura Doody, Senior Vice President, Hospital Finance, UM SJMC

Rebecca Daley, Chief Transactions and Regulatory Counsel, UMMS

Christopher Tully, Senior Associate Counsel, Corporate Governance
and Transaction, UMMS

Jeanette Cross, Managing Director, Berkeley Research Group

Amber M. Olig, Director, Berkeley Research Group

Steve Madsen, Covalus

Rob Sanz, Wilmot Sanz

Ruxton SurgiCenter, LLC]
Certificate of Need to Establish a New Ambulatory Surgical Facility
Matter No.25-03-2474

Supplemental Responses to Completeness Questions Dated December 5, 2025

Patient Safety

1. **As it relates to Ruxton’s compliance with American National Standards Institute (ANSI) standards: Ruxton’s proposed design complies with the 2018 Facility Guidelines Institute (FGI) for Outpatient Facilities and applicable ANSI standards. The relevant State Health Plan (SHP) standard requires Ruxton to comply with the design requirements (and patient safety features) that are consistent with the *current* FGI Guidelines. The current FGI Guidelines are from 2022. Confirm that the applicant will modify its design, as necessary, to be consistent with the 2022 Guidelines.**

[Applicant Response](#)

Ruxton will modify its design, as necessary, to be consistent with the 2022 FGI Guidelines. The design modifications do not require any changes to the floor plans at this time.

2. **The Commission does not have sufficient information to assess the availability of resources necessary to implement the project. The Commission requires one of the following:**

As previously requested: the applicant is required to submit one of the following forms of documentation to substantiate financial feasibility:

- a. **Audited financial statement.**
- b. **Letter signed by an independent CPA that details the financial information considered to conclude that adequate funds are available for this project.**

Alternatively, the applicant can provide all three of the documentation below:

- c. **Financial information (i.e., a CPA letter or audited financials) for the past two years from direct and indirect owners to attest to the financial condition of the entities and availability of the equity contribution.**
- d. **A letter of credit from direct and indirect owners from a prospective bank toward the debt financing involved in the project to provide credit support to the applicant.**
- e. **A written copy of the lease or intent to lease that includes the lease terms and articulates the rent amount, payment schedule, duration, renewal terms, tenant improvements, and maintenance responsibilities—to document the financial obligations between the tenant and landlord.**

Please note that failure to provide documentation may result in MHCC dismissing the application as incomplete.

[Applicant Response](#)

Please see attached **Exhibit 20** for a letter signed by Solomon & Nislow, P.A., an independent CPA firm, concluding that adequate funds are available for this project.

INDEX OF EXHIBITS

| Exhibit | Description |
|---------|------------------------|
| 20 | Independent CPA Letter |
| | |

I hereby declare and affirm under the penalties of perjury that the facts stated in the Supplemental Responses to Completeness Questions dated December 5, 2025, and the attachments are true and correct to the best of my knowledge, information, and belief.

1/27/2026

Date

DocuSigned by:

Robin L. Luxon

6485D552A02F4C4...

Robin Luxon, RN, BSN, MBA,
FACHE
Interim President
University of Maryland St. Joseph
Medical Center

I hereby declare and affirm under the penalties of perjury that the facts stated in the Supplemental Responses to Completeness Questions dated December 5, 2025, and the attachments are true and correct to the best of my knowledge, information, and belief.

1/27/2026

Date

Signed by:
Laura Doody
9727A97D283C4CE...

Laura Doody, MBA
Senior Vice President, Hospital
Finance
University of Maryland St. Joseph
Medical Center

I hereby declare and affirm under the penalties of perjury that the facts stated in the Supplemental Responses to Completeness Questions dated December 5, 2025, and the attachments are true and correct to the best of my knowledge, information, and belief.

1/29/2026

Date

Signed by:

Josh Baumgardner

20AAFA67FD9E409...

Joshua L. Baumgardner, AIA, NCARB
Project Manager
Wilmot Sanz

EXHIBIT 20

SOLOMON AND NISLOW, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

821 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201
TEL (410) 727-2717
FAX (410) 727-7200

CHARLES M. SOLOMON, CPA
1936 - 1999

ERIC M. NISLOW, CPA

MEMBER
AMERICAN INSTITUTE OF CERTIFIED
PUBLIC ACCOUNTANTS
MARYLAND ASSOCIATION OF CERTIFIED
PUBLIC ACCOUNTANTS

Ewurama Shaw-Taylor

Chief, Certificate of Need
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, MD 21215-2299

RE: Ruxton SurgiCenter, LLC

Dear Ms. Shaw-Taylor:

Please be advised that we have been engaged as Certified Public Accountants (CPAs) to perform a limited review of Ruxton SurgiCenter, LLC's financial information and condition in conjunction with its pending Certificate of Need (CON) application and to provide this letter.

In our capacity as CPAs, we are bound by the Code of Professional Conduct of the American Institute of Certified Public Accounts (AICPA).

Pursuant to the AICPA Code of Professional Conduct, Independence consists of two elements, independence of mind and independence in appearance, defined further in the AICPA Code of Professional Conduct, 0.400.21. While we are providing independent tax and accounting professional services to Ruxton SurgiCenter through this limited engagement, we are not employed by it or otherwise affiliated with it. The only financial benefit we derive from Ruxton SurgiCenter is through payment for our services as independent CPAs. As a result, we consider ourselves independent CPAs with respect to Ruxton SurgiCenter within the meaning of AICPA Code of Professional Conduct.

In our capacity as CPAs, the AICPA Code of Professional Conduct precludes us from issuing comfort letters, and therefore we are not issuing such a letter.

With that being said and being so precluded, we have considered Ruxton SurgiCenter, LLC's global cash flow, internally prepared financial statements, projections in the CON application, and its Operating Agreement, which details capital call obligations of its members. Based on this review, we conclude there seems to be adequate availability of funds to implement and sustain the proposed CON project.

Please feel free to contact us should you have any questions.

Cordially,

Solomon and Nislow P.A.

By:


Eric M. Nislow, CPA