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CHAIR



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MARYLAND HEALTH CARE COMMISSION

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MARYLAND HEALTH CARE COMMISSION

Thursday, June 17, 2010

Minutes

Chair Moon called the public meeting to order at 1:05 p.m. She noted that she leave by 2:30 and would turn the meeting over to Vice Chair Falcone.

Commissioners present: Conway, Falcone, Fleig, Jefferson, Kan, Krumm, Lyles, McLean, Moore, Olsen, Ontaneda-Bernales, and Worthington.

Chair Moon advised the Commission that she attended the second meeting of the Health Care Reform Coordinating Council on Thursday, June 10, 2010. She said that the next meeting of the Council would be held on Thursday, July 1, 2010, and that Dr. Cowdry will make a presentation on health information technology at that meeting. Chair Moon also noted that an interim report would be posted on the Council's website in July.

ITEM 1.

Approval of the Minutes

Commissioner Krumm made a motion to approve the minutes of the May 20, 2010 meeting of the Commission, which was seconded by Commissioner Jefferson, and unanimously approved.

ITEM 2.

Update of Activities

Rex Cowdry, M.D., Executive Director, advised the Commission that. in addition to working with the Health Care Reform Coordinating Council, he made a presentation at the Maryland State Expo focusing on insurance exchanges. Dr. Cowdry also noted that he will be presenting to the Health Care Delivery and Financing Commission, and would provide a briefing to the Governor on Health Information Technology.

Bruce Kozlowski, Director, Center for Long Term Care and Community Based Services, commended staff for their hard work related to the 2009 long term care survey process. Mr. Kozlowski said that, in addition to the providing information in the survey, most of the facilities submitted pictures of their facilities to be posted on the website.

ITEM 3.

PRESENTATION: How does CMS Five-Star Quality Rating System for Nursing Homes Relate to Family Member/Responsible Party Experience of Care?

Sule Calikoglu, former Senior Policy Analyst at the Commission, discussed the relationship between the CMS Five-Star rating and the Maryland Health Care Commission's Experience of Care survey completed by family members or responsible parties. Ms. Calikoglu noted the following policy implications: (1) although family member/responsible party "experience of care" is associated with CMS Five-Star Rating, it provides additional information in assessing the quality of care in nursing homes; (2) the lack of a relationship between quality measures and experience of care requires a more detailed examination; and (3) a few facilities that scored very high/low in family survey but received opposite quality ratings need further analysis to understand the relationship between family experience of care and the technical measures of quality.

ITEM 4.

ACTION: COMAR 10.25.16 – Electronic Health Record Incentives – Action on Proposed Permanent Regulations

David Sharp, Director of the Center for Health Information Technology, presented proposed regulations that would require State-regulated payers to provide primary care practices with an incentive to adopt electronic health records. These regulations are required under House Bill 706, *Electronic Health Records – Regulation and Reimbursement*, which passed during the 2009 legislative session. He said the public comment period begins on July 30th and that the Commission will accept comments on the proposed regulations through August 30th. Commissioner Falcone made a motion to adopt the proposed regulations, which was seconded by Commissioner Ontaneda-Bernales. Commissioner Lyles expressed concern about the regulations and did not support the motion. A majority of the Commissioners voted in favor of the motion.

ACTION: COMAR 10.25.16 – Electronic Health Record Incentives – is hereby ADOPTED as proposed permanent regulations.

ITEM 5.

ACTION: Certificate of Need

- Kaiser Permanente Baltimore Surgical Center (Docket No. 10-03-2306)

Kaiser Permanente applied for a Certificate of Need to establish a freestanding ambulatory surgical facility in southwest Baltimore County, Maryland. Eileen Fleck, Program Manager, presented the staff recommendation. Ms. Fleck said the proposed facility, which would include two operating rooms and shell space for a third, would be used almost exclusively by members of Kaiser health plans. She said the project is estimated to cost \$8,906,397, which Kaiser plans to fund with cash. Staff analyzed the proposed project's compliance with the applicable State Health Plan standards and Certificate of Need review criteria, and recommended that the project be approved with two conditions. Commissioner Conway made a motion to adopt the staff recommendation, which was seconded by Commissioner Moore and unanimously approved.

ACTION: Certificate of Need – Kaiser Permanente Baltimore Surgical Center (Docket No. 10-03-2306) is hereby APPROVED.

- Fredericktown Ambulatory Surgical Facility (Docket No. 09-10-2302)

Fredericktown Ambulatory Surgical Facility applied for a Certificate of Need to relocate its ambulatory surgical facility to the site of the Physicians Surgical Center of Frederick, an ambulatory surgery center with one operating room, in order to establish a freestanding ambulatory surgical facility at that site in Frederick County. Ms. Fleck presented the staff recommendation. She said the proposed facility would result in two operating rooms and two non-sterile procedure rooms at the Physicians Surgical Center of Frederick. She noted that Fredericktown ASF would close, and that the new facility would be known as Physicians Surgical Center of Frederick. Ms. Fleck said the project is estimated to cost \$100,636, which will be funded with cash. Staff analyzed the proposed project's compliance with the applicable State Health Plan standards and Certificate of Need review criteria, and recommended that the project be approved. Commissioner McLean made a motion to approve the staff recommendation, which was seconded by Commissioner Fleig and unanimously approved.

ACTION: Certificate of Need – Fredericktown Ambulatory Surgical Facility (Docket No. 09-10-2302) is hereby APPROVED.

- Anne Arundel Medical Center (Docket No. 10-02-2308)

Anne Arundel Medical Center (AAMC) applied for a Certificate of Need to “fit-out” approved shell space. Susan Myers, Health Policy Analysis, presented the staff recommendation. Ms. Myers said AAMC proposed to fit out one floor of shell space, which the Commission approved in 2006 as part of a large building addition that is currently under construction. She noted that the floor would be finished as a 30-bed general medical/surgical nursing unit with all private rooms and will be located on the sixth floor of the expanded Acute Care Pavilion. Ms. Myers said the project is estimated to cost \$5.2 million and would be funded through cash generated

from operations. Staff analyzed the proposed project and recommended that the project be approved. Commissioner Moore made a motion to approve the staff recommendation, which was seconded by Commissioner Jefferson and unanimously approved.

ACTION: Certificate of Need – Anne Arundel Medical Center (Docket No. 10-02-2308) is hereby APPROVED.

ITEM 6.

ACTION: Certificate of Need – Modification – Holly Hill Nursing and Rehabilitation Center (Docket No. 08-03-2285)

Holly Hill Nursing and Rehabilitation Center applied for a modification to its existing Certificate of Need. Ms. Myers presented the staff recommendation. Ms. Myers said that Holly Hill was granted a Certificate of Need in 2009 to expand and renovate its facility. She said the modified project would change the facility's physical plant design and increase the previously approved expenditure for the project. Ms. Myers said the redesign was necessary to obtain support from neighbors and the required local government approvals for the project. She said that the estimated cost of the project will increase from \$3,657,475 to \$5,992,358. Staff recommended that the Commission approve the modification request, subject to the same condition currently attached to the original Certificate of Need. Commissioner Jefferson made a motion to approve the staff recommendation, which was seconded by Commissioner Moore and unanimously approved.

ACTION: Certificate of Need – Modification – Holly Hill Nursing and Rehabilitation Center (Docket No. 08-03-2285) is hereby APPROVED.

ITEM 7.

UPDATE: Patient Centered Medical Home Project

Ben Steffen, Center Director for Information Systems and Analysis, provided a brief update on the Patient Centered Medical Home (PCMH) project. In addition to discussing the program's goals and the criteria for selection of practices, Mr. Steffen also discussed the program's accomplishments. He noted that Commission staff had developed a portal on the MHCC website dedicated to providing the Maryland primary care providers with information regarding PCMH Pilot program. The following is a link to the website portal: <http://mhcc.maryland.gov/pcmh>.

ITEM 8.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:10 p.m., upon motion of Commissioner Jefferson, which was seconded by Commissioner Ontaneda-Bernales and unanimously approved.