



MARYLAND HEALTH CARE COMMISSION

4160 PATTERSON AVENUE – BALTIMORE, MARYLAND 21215
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Thursday, November 17, 2011

Minutes

Chair Moon called the meeting to order at 1:05 p.m.

Commissioners present: Conway, Falcone, Fleig, Grady, Kan, Lyles, McLean, Montgomery, Petty, Schneider, Tanio, and Worthington.

Chair Moon took a moment to recognize the work of our departing Commissioners; Krumm, Mawakana, and Olson, and wished them all the best.

She also said that Governor O'Malley appointed four new members to the Commission. She welcomed them and asked each new Commissioner to introduce themselves and say a few words about their particular interests as Commissioners.

ITEM 1.

Approval of the Minutes

Commissioner Fleig made a motion to approve the minutes of the October 20, 2011 public meeting, which was seconded by Commissioner McLean and unanimously approved.

ITEM 2.

Update of Activities

Ben Steffen, Acting Executive Director, welcomed the new Commissioners and provided an update on each of the four Advisory Committees established by the Maryland Health Benefit Exchange Board including: Operating Model and Insurance Rules, Small Business Exchange, Navigator and Enrollment, and Finance and Sustainability Advisory Committees.

Bruce Kozlowski, Director, Center for Health Care Financing and Health Policy, announced the release of the 2011 Health Benefit Plan Performance Report. Mr. Kozlowski said that staff is working with the health plans to understand the reasons for the marginal plan performance on HEDIS and CAHPS in the current and previous annual quality and performance reports and to discuss opportunities for future performance improvement.

Sue Myers, Program Manager, Patient-Centered Medical Home, provided an update on the Maryland's Multi-Payer Providers Participation Agreement. She also noted that the Maryland Learning Collaborative held a very well attended 2 day learning session.

ITEM 3.

ACTION: COMAR 10.24.17 – Cardiac Surgery and Percutaneous Coronary Intervention (PCI) Services Chapter of the State Health Plan – Action on Proposed and Emergency Regulations

Dolores Sands, Chief, Specialized Services Policy and Planning, presented proposed amendments to Table A-1 of the State Health Plan chapter for Cardiac Surgery and PCI Services. Ms. Sands said the proposed changes are designed to address the process by which an interventional cardiologist who has not performed the required number of PCI cases during a 12-month period that includes a brief leave of absence from clinical practice may resume performing PCI in a hospital operating under a PCI waiver issued by the Commission. Commissioner Conway made a motion to approve the emergency and proposed regulations, which was seconded by Commissioner Falcone and unanimously approved.

ACTION: COMAR 10.24.17 – Cardiac Surgery and Percutaneous Coronary Intervention (PCI) Services Chapter of the State Health Plan – Action on Proposed and Emergency Regulations are hereby APPROVED.

ITEM 4.

ACTION: Continuation of Non-Primary Research Waivers Through Participation in the Follow-On C-PORT E Registry

Eight hospitals submitted applications seeking approval for continuation of non-primary research waivers through participation in the follow-on C-PORT E Registry. Ms. Sands presented the staff recommendations.

- **Anne Arundel Medical Center (Docket No. 08-02-0032 NPRW)**

Ms. Sands stated that Anne Arundel Medical Center filed an application seeking the continuation of a research waiver issued by the Commission that would permit the Hospital to participate in the C-PORT E Registry of Non-Primary PCI that follows-on the C-PORT E Study of Non-Primary PCI. She presented the Acting Executive Director's recommendations that the Commission staff continue to monitor the hospital's volume and that the Commission grant Anne Arundel Medical Center authority to participate in the Follow-On Registry, conditioned on meeting the requirements of the pPCI and npPCI programs. Commissioner Falcone made a motion that the Commission approve the Acting Executive Director's recommendation, which was seconded by Commissioner Kan and unanimously approved.

ACTION: Application of Anne Arundel Medical Center for Continuation of Non-Primary Research Waivers Through Participation in the Follow-On C-PORT E Registry is hereby APPROVED.

- **Baltimore Washington Medical Center (Docket No. 08-02-0029 NPRW)**

Ms. Sands stated that Baltimore Washington Medical Center filed an application seeking the continuation of a research waiver issued by the Commission that would permit the Hospital to participate in the C-PORT E Registry of Non-Primary PCI that follows-on the C-PORT E Study of Non-Primary PCI. She presented the Acting Executive Director's recommendations that the Commission staff continue to monitor the hospital's volume and that the Commission grant Baltimore Washington Medical Center authority to participate in the Follow-On Registry. Commissioner McLean made a motion that the Commission approve the Acting Executive Director's recommendation, which was seconded by Commissioner Fleig and unanimously approved.

ACTION: Application of Baltimore Washington Medical Center for Continuation of Non-Primary Research Waivers Through Participation in the Follow-On C-PORT E Registry is hereby APPROVED.

- **Frederick Memorial Hospital (Docket No. 08-10-0034 NPRW)**

Ms. Sands stated that Frederick Memorial Hospital filed an application seeking the continuation of a research waiver issued by the Commission that would permit the Hospital to participate in the C-PORT E Registry of Non-Primary PCI that follows-on the C-PORT E Study of Non-Primary PCI. She presented the Acting Executive Director's recommendation that the Commission staff continue to monitor the hospital's volume and that the Commission grant Frederick Memorial Hospital authority to participate in the Follow-On Registry, conditioned on attaining and maintaining compliance with the requirements for pPCI and npPCI programs. Commissioner Fleig made a motion that the Commission approve the Acting Executive Director's recommendation, which was seconded by Commissioner Montgomery and unanimously approved.

ACTION: Application of Frederick Memorial Hospital for Continuation of Non-Primary Research Waivers Through Participation in the Follow-On C-PORT E Registry is hereby APPROVED.

- **Johns Hopkins Bayview Medical Center (Docket No. 08-24-0030 NPRW)**

Ms. Sands stated that Johns Hopkins Bayview Medical Center filed an application seeking the continuation of a research waiver issued by the Commission that would permit the Hospital to participate in the C-PORT E Registry of Non-Primary PCI that follows-on the C-PORT E Study of Non-Primary PCI. She presented the Acting Executive Director's recommendations that the Commission staff continue to monitor the hospital's volume and that the Commission grant Johns Hopkins Bayview Medical Center authority to participate in the Follow-On Registry, conditioned on attaining and maintaining compliance with the requirements for pPCI and npPCI programs, as well as written acceptance of the following specific condition: "On or before January 16, 2012, Johns Hopkins Bayview Medical Center must provide Commission staff with documentation showing the number of PCI cases it performed for the period from October 1, 2011 through December 31, 2011. If the Hospital fails to perform at least 50 PCI cases during that period, it shall, on written notice from the Commission staff, relinquish its research waiver and close its non-primary PCI service operating under the research waiver. If the Hospital performs at least 50 PCI cases during that period, it may continue to participate in the Follow-On Registry. Commissioner Falcone made a motion that the Commission approve the Acting Executive Director's recommendation, which was seconded by Commissioner Fleig and unanimously approved. Commissioner Grady recused herself from this matter.

ACTION: Application of Johns Hopkins Bayview Medical Center for Continuation of Non-Primary Research Waivers Through Participation in the Follow-On C-PORT E Registry is hereby APPROVED.

- **Meritus Medical Center (Docket No. 08-21-0035 NPRW)**

Ms. Sands stated that Meritus Medical Center filed an application seeking the continuation of a research waiver issued by the Commission that would permit the Hospital to participate in the C-PORT E Registry of Non-Primary PCI that follows-on the C-PORT E Study of Non-Primary PCI. She presented the Acting Executive Director's recommendations that the Commission staff continue to monitor the hospital's volume and that the Commission grant Meritus Medical Center authority to participate in the Follow-On Registry, conditioned on meeting the requirements for pPCI and npPCI programs. Commissioner Tanio made a motion that the Commission approve the Acting Executive Director's recommendation, which was seconded by Commissioner Petty and unanimously approved.

ACTION: Application of Meritus Medical Center for Continuation of Non-Primary Research Waivers Through Participation in the Follow-On C-PORT E Registry is hereby APPROVED.

- **St. Agnes Hospital (Docket No. 08-24-0028 NPRW)**

Ms. Sands stated that St. Agnes Hospital filed an application seeking the continuation of a research waiver issued by the Commission that would permit the Hospital to participate in the C-PORT E Registry of Non-Primary PCI that follows-on the C-PORT E Study of Non-Primary PCI. She presented the Acting Executive Director's recommendations that the Commission staff continue to monitor the hospital's volume and that the Commission grant St. Agnes Hospital authority to participate in the Follow-On Registry, conditioned on attaining and maintaining compliance with the requirements for pPCI and npPCI programs. Commissioner Kan made a motion that the Commission approve the Acting Executive Director's recommendation, which was seconded by Commissioner Fleig and unanimously approved.

ACTION: Application of St. Agnes Hospital for Continuation of Non-Primary Research Waivers Through Participation in the Follow-On C-PORT E Registry is hereby APPROVED.

- **Shady Grove Adventist Hospital (Docket No. 08-16-0031 NPRW)**

Ms. Sands stated that Shady Grove Adventist filed an application seeking the continuation of a research waiver issued by the Commission that would permit the Hospital to participate in the C-PORT E Registry of Non-Primary PCI that follows-on the C-PORT E Study of Non-Primary PCI. She presented the Acting Executive Director's recommendations that the Commission staff continue to monitor the hospital's volume and that the Commission grant Shady Grove Adventist Hospital authority to participate in the Follow-On Registry, conditioned on meeting the requirements for pPCI and npPCI programs. Commissioner McLean made a motion that the Commission approve the Acting Executive Director's recommendation, which was seconded by Commissioner Fleig and unanimously approved.

ACTION: Application of Shady Grove Adventist Hospital for Continuation of Non-Primary Research Waivers Through Participation in the Follow-On C-PORT E Registry is hereby APPROVED.

- **Southern Maryland Hospital Center (Docket No. 08-16-0031 NPRW)**

Ms. Sands stated that Southern Maryland Hospital Center filed an application seeking the continuation of a research waiver issued by the Commission that would permit the Hospital to participate in the C-PORT E Registry of Non-Primary PCI that follows-on the C-PORT E Study of Non-Primary PCI. She presented the Acting Executive Director's recommendations that the Commission staff continue to monitor the hospital's volume and that the Commission grant Southern Maryland Hospital Center authority to participate in the Follow-On Registry, conditioned on meeting the requirements for pPCI and npPCI programs. Commissioner Montgomery made a motion that the Commission approve the Acting Executive Director's recommendation, which was seconded by Commissioner Fleig and unanimously approved.

ACTION: Application of Southern Maryland Hospital Center for Continuation of Non-Primary Research Waivers Through Participation in the Follow-On C-PORT E Registry is hereby APPROVED.

ITEM 5.

AGENDA ITEM #5

UPDATE: Prior Authorization Report

David Sharp, Director, Center for Health Information Technology, provided an update on the Prior Authorization Report. In June, the Maryland General Assembly Joint Committee on Health Care Delivery and Financing requested the Commission to develop recommendations around best practices and standards for electronic prior authorization of prescription medications and medical services. Staff convened a multi-

stakeholder workgroup to develop recommendations with the focus on short-term solutions that incrementally reduce the burden on providers, state-regulated payers, and third party administrators (TPAs). The workgroup developed four recommendations: 1) Provide a single sign-on option to state-regulated payer and TPA websites; 2) State-regulated payers and TPAs will follow a phased approach on electronic prior authorizations to include the medical services and prescription medications that require prior authorization on their website, assignment of a unique tracking number to each electronic request, and real time processing of electronic requests where no additional information is required; 3) State-regulated payers and TPAs will report to the Commission on the progress of implementing the recommendations at the end of 2012 and 2013; and 4) require providers to utilize an electronic prior authorization process by 2015 unless an exemption is granted by the state-regulated payer or TPA to the provider.

ITEM 6.

BRIEFING: State Health Plan Chapter for General Surgical Services

Eileen Fleck, Program Manager with the Center for Hospital Services, provided an overview of proposed revisions to the Surgical Services Chapter of the State Health Plan. Ms. Fleck noted that the staff's priorities are to address surgical services at hospitals, ambulatory surgical facilities, and physicians' outpatient surgery centers; add review standards for determinations of coverage; evaluate the appropriateness of capacity standards for operating rooms; make changes for consistency with other recently updated State Health Plan chapters; and define the terms "operating room" and "procedure room." Ms. Fleck outlined the State Health Plan revision process and said the new draft State Health Plan will be formally proposed as a proposed regulation at the December public meeting of the Commission.

ITEM 9.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:15 p.m., upon motion of Commissioner Kan, which was seconded by Commissioner Schneider and unanimously approved.