

Craig P. Tanio, M.D.
CHAIR



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MARYLAND HEALTH CARE COMMISSION

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Thursday, January 26, 2017

Minutes

Chairman Tanio called the meeting to order at 1:10 p.m.

Commissioners present: Fleig, Moffit, O'Connor, O'Grady, Phillips, Pollak, Sergent, Stollenwerk, Thomas, Tomarchio, and Weinstein. Commissioners Hafey and Metz participated via telephone.

ITEM 1.

Approval of the Minutes

Commissioner Fleig made a motion to approve the minutes of the December 15, 2016 meeting of the Commission, which was seconded by Commissioner Moffit and unanimously approved.

ITEM 2.

Before turning to the Update of Activities, Chairman Tanio said that agenda item number seven, which concerned the consideration of revised proposed regulations regarding Freestanding Medical Facilities, will not be considered today. He noted that those proposed regulations will be considered at the February public meeting of the Commission.

Update of Activities

David Sharp, Director of the Center for Health Information Technology and Innovative Care Delivery, asked Nicole Majewski, Chief of Health Information Technology, to present on highlights from the report, Health Information Technology, An Assessment of Maryland Acute Care Hospitals. Ms. Majewski noted that the annual report overviews health IT adoption and use among all 48 acute care hospitals in Maryland and includes a national comparison. Ms. Majewski reported that Maryland hospitals continue to make notable progress in establishing the necessary health IT infrastructure to store, protect, retrieve, and securely exchange electronic health information. She also emphasized that a robust health IT infrastructure is essential for hospitals to achieve health care reform goals under Maryland's All-Payer Model.

Linda Bartnyska, Director, Center for Analysis and Information Systems, provided an update on the Commission's Total Cost of Care work with the Network for Regional Health Care Improvements (NRHI). Ms. Bartnyska noted that the report was released by the Robert Wood Johnson Foundation, and that Forbes published the report's findings. She pointed out that Maryland had the lowest total cost of care for the commercially insured population among five regions (Maryland, Minnesota, Oregon, St. Louis, and Utah) in the study.

ITEM 3.

PRESENTATION: Overview of Maryland's Comprehensive Primary Care Redesign Program

Howard Haft, M.D., Deputy Secretary for Public Health Services at the Department of Health and Mental Hygiene, and Chad Perman, Director of Health Systems Transformation in the Office of Population Health Improvement, presented the State of Maryland's proposal for the Maryland Comprehensive Primary Care Model, which was submitted to the Centers for Medicare & Medicaid Services (CMS). Dr. Haft participated in the presentation remotely. Melanie Cavaliere, Chief of Innovative Care Delivery, joined Mr. Perman at the table. Dr. Haft provided a summary of program. Mr. Perman explained how the program will help support the work of the All-Payer Model. Dr. Haft noted that primary care transformation is critical to the development of a strong long-term plan for improving the health of Marylanders. Dr. Haft also stated that the Comprehensive Primary Care Model is essential to the success of the next phase of the All-Payer Model. The proposal is currently under review by CMS.

ITEM 4.

ACTION: Certificate of Need – Recommended Decision – Recovery Centers of America - Waldorf (Docket No. 15-08-2362)

Chairman Tanio stated that Recovery Centers of America sought Certificate of Need approval to develop an intermediate care facility in Waldorf, Montgomery County, Maryland that contains alcoholism and substance abuse detoxification beds that are regulated by the Commission. He added that the Commissioners had previously received the Recommended Decision of Commissioner Randy Sergent, who served as the Reviewer of this application, which was contested by one interested party, Pathways, a subsidiary of Anne Arundel Medical Center. He noted that the interested party did not file exceptions to the Recommended Decision so there would not be an exceptions hearing. Commissioner Sergent said that, based on his review and analysis of the application and the record in the review, Recovery Centers of America – Waldorf's proposed project complied with the applicable State Health Plan standards and Certificate of Need review criteria. He noted that the project's impact on existing providers will not be overly negative, especially in the longer term, while it will have a positive impact on consumers' access to services, especially the population that will benefit from the required charity care that will be offered. Commissioner Sergent recommended that the Commission adopt his Recommended Decision as its decision and approve the Certificate of Need application, as modified, to establish an Alcohol and Drug Abuse Intermediate Care Facility at 1100 Billingsley Road, Waldorf, Maryland, with certain conditions. Commissioner Moffit made a motion to adopt the Recommended Decision, which was seconded by Commissioner Thomas and unanimously approved.

ACTION: Certificate of Need – Recommended Decision – Recovery Centers of America - Waldorf (Docket No. 15-08-2362) is hereby APPROVED.

ITEM 5.

ACTION: Certificate of Need –Recommended Decision – Recovery Centers of America – Upper Marlboro (Docket No. 15-16-2364)

Chairman Tanio announced that Recovery Centers of America also sought Certificate of Need approval to develop an intermediate care facility in Upper Marlboro, Prince George’s County, Maryland that contains alcoholism and substance abuse detoxification (or intermediate care facility) beds. The members of the Commission had also previously received the Recommended Decision of Commissioner Sergent, which was also contested by Pathways. As in the RCA-Waldorf application, Pathways did not file exceptions to the Recommended Decision. Commissioner Sergent presented his recommendation regarding the grant of a Certificate of Need and stated that, based on his review and analysis of the application and the record in the review, Recovery Centers of America – Upper Marlboro’s proposed project complied with the applicable State Health Plan standards and Certificate of Need review criteria. He noted that the project’s impact was the same as the RCA project that had just been discussed. Commissioner Sergent recommended that the Commission adopt his Recommended Decision as its decision and approve the Certificate of Need application, as modified, to establish an Alcohol and Drug Abuse Intermediate Care Facility at Upper Marlboro, Maryland, with certain conditions. Commissioner O’Connor made a motion to adopt the Recommended Decision, which was seconded by Commissioner Weinstein and unanimously approved.

ACTION: Certificate of Need –Recommended Decision – Recovery Centers of America – Upper Marlboro (Docket No. 15-16-2364) is hereby APPROVED.

ITEM 6.

ACTION: COMAR 10.24.15: State Health Plan for Facilities and Services: Organ Transplant Services – Final Regulations

Eileen Fleck, Chief of Acute Care Policy and Planning, presented COMAR 10.24.15 - State Health Plan for Facilities and Services: Organ Transplant Services for consideration as final regulations. Ms. Fleck stated that the Commission had received no additional comments on the proposed regulations and that staff recommended no further changes. Commissioner Pollak made a motion that the Commission adopt the regulations as final, which was seconded by Commissioner Moffit and unanimously approved.

ACTION: COMAR 10.24.15: State Health Plan for Facilities and Services: Organ Transplant Services –are adopted as final regulation.

ITEM 7.

ACTION: COMAR 10.24.19: State Health Plan for Facilities and Services: Freestanding Medical Facilities – Proposed Regulations

Consideration of this matter has been postponed to the February 2017 meeting of the Commission, as noted in the Update section above.

ITEM 8.

ACTION: COMAR 10.25.18 – Health Information Exchanges: Privacy and Security of Protected Health Information – Proposed Regulations

Angela Evatt, Chief of Health Information Exchange, presented staff's recommendations for proposed permanent amendments to COMAR 10.25.18: Health Information Exchanges: Privacy and Security of Protected Health Information. The recommended amendments to the regulations would require HIE organizations that offer consumers access to their protected health information to implement certain privacy and security protections. Commissioner Stollenwerk made a motion that the Commission adopt the proposed regulations, which was seconded by Commissioner Weinstein and unanimously approved.

ACTION: COMAR 10.25.18 – Health Information Exchanges: Privacy and Security of Protected Health Information – Proposed Regulations are adopted as proposed permanent regulations.

ITEM 9.

PRESENTATION: Round 5 Telehealth Award

Angela Evatt announced the Round Five telehealth grant award to the University of Maryland Shore Regional Health (UMSRH). She stated that UMSRH will use telehealth to provide in-patient palliative care for the residents at Shore Nursing and Rehabilitation Center and will also use telehealth for in-patient and ED psychiatric assessments at the University of Maryland Shore Medical Center at Chestertown, and for ED visits at Shore Regional Emergency Center at Queen Anne's. Joining Ms. Evatt in discussing the project were William Roth, Regional Director - Care Transitions and Palliative Care and John Mistrangelo, Program Administrator for Behavioral Health at Shore Regional Health

ITEM 10.

Overview of Upcoming Initiatives

Mr. Steffen said that the February 2017 meeting of the Commission will include the proposed regulations for COMAR 10.24.19: State Health Plan for Facilities and Services: Freestanding Medical Facilities; an update on the Maryland Health Care Quality Reports website; a Certificate of Need action; an update regarding potential legislation, and, tentatively, State recognition of Electronic Advance Directive Services.

ITEM 11.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:38 p.m. following a motion by Commissioner Stollenwerk, which was seconded by Commissioner O'Connor and unanimously approved.