

Robert E. Moffit
CHAIR



Ben Steffen
EXECUTIVE DIRECTOR

MARYLAND HEALTH CARE COMMISSION

4160 PATTERSON AVENUE – BALTIMORE, MARYLAND 21215
TELEPHONE: 410-764-3460 FAX: 410-358-1236

Tuesday, September 19, 2017

Minutes

Chairman Moffit called the meeting to order at 1:05 p.m.

Commissioners present: Carr-York, Fleig, Hafey, Metz, O'Connor, Peters, Phillips, Pollak, and Wang. Commissioner Tomarchio participated via telephone.

Chairman Moffit introduced and welcomed new Commissioner Candice Peters, M.D. to the Maryland Health Care Commission. He said that Commissioner Peters is Board certified in Physical Medicine and Rehabilitation and practices at Advanced Primary and Geriatric Care in Rockville, Maryland. He noted that Dr. Peters received her medical training at Howard University and completed her physical medicine and rehabilitation residency at the University of Pennsylvania. During her PM&R training, she also completed acupuncture training at The Helms Acupuncture Institute/UCLA. Her areas of clinical interest include treatment of conditions such as neck and back pain, overuse injuries such as tendinopathy and carpal tunnel syndrome, degenerative joint disease of the spine and extremities, muscle pain, and bursitis. In addition, she performs nerve conduction and EMG studies to diagnose neuromuscular diseases. Dr. Peters is a resident of Prince George's County.

ITEM 1.

Approval of the Minutes

Commissioner Fleig made a motion to approve the minutes of the July 20, 2017 public meeting of the Commission, which was seconded by Commissioner Carr-York and unanimously approved.

ITEM 2.

Update of Activities

Ben Steffen, Executive Director, said that the Rural Health Care Delivery Workgroup will hold its final meeting on Thursday, September 28, 2017 to discuss the final recommendations and the final report on the Health and Health Delivery on Mid-Shore conducted by the University of Maryland, School of Public Health, and the Walsh Center for Rural Health at NORC. Mr.

Steffen said that the WorkGroup recommendations will be presented to the Commission at its October public meeting for action. He also noted that the press conference for the release of the price transparency tool, “WearTheCost” will be held on October 19, 2017 at 11:00 a.m. at the Commission offices. Mr. Steffen provided copies of the materials on the status of the total cost of care model. He also noted that the Ambulatory Surgery Report is now available on the Commission’s website.

ITEM 3.

PRESENTATION: Practice Transformation Network (PTN) Progress Report

Melanie Cavalier, Chief of Innovative Care Delivery, introduced Niharika Khanna, M.D., Associate Professor of Family and Community Medicine at the University of Maryland School of Medicine (UMSM), and Susan D’Antoni, CEO of the Montgomery County Medical Society (MedChi), who provided a progress report on the performance of the Practice Transformation Network (PTN) in Maryland. The MHCC, in partnership with MedChi and UMSM Maryland Learning Collaborative are a subcontractor to the New Jersey Innovation Institute PTN, which is a recipient of a PTN grant from the Centers for Medicare & Medicaid Services. Ms. Cavalier noted that PTN activities are intended to coach, mentor, and assist practices in developing core competencies to prepare practices for participation in alternative care delivery models.

ITEM 4.

ACTION: Certificate of Need – FutureCare–Homewood Properties, L.L.C. – (Docket No. 17024-2396)

FutureCare–Homewood Properties LLC applied for a Certificate of Need to relocate 30 comprehensive care facility beds that recently were temporarily delicensed at Good Samaritan Hospital, and to renovate the existing Homewood facility. Kevin McDonald, Chief of Certificate of Need, presented the staff recommendation. Mr. McDonald said that the total project cost is estimated to be \$6,799,182, and will be funded with a mortgage loan. He noted that, historically, the Commission has permitted an existing CCF with 90% or higher bed occupancy that meets other State Health Plan standards to relocate temporarily delicensed CCF beds to its facility. Staff recommended that the Commission approve the project with two standard conditions. Commissioner Carr-York made a motion to approve the staff recommendation, which was seconded by Commissioner Fleig, and unanimously approved.

ACTION: Certificate of Need – FutureCare – Homewood Properties, L.L.C. – (Docket No. 17024-2396) is hereby APPROVED.

ITEM 5.

ACTION: Change in Approved Certificate of Need – Relocation of Washington Adventist Hospital and Establishment of a Special Hospital – Psychiatric (Docket No. 13-15-2349)

Washington Adventist Hospital (WAH) applied for a modification to its previously approved Certificate of Need that was issued in December 2015. Mr. McDonald presented the staff recommendation. He said the applicant proposed construction of a central utility plant and a parking garage (to replace approved surface parking) at the replacement hospital campus. He noted that the changes would increase the capital cost of the project by approximately \$64 million, with \$39,300,900 for the central utility plant, and \$24,845,058 for the parking garage. He pointed out that these changes would, in the long term, save money for the hospital, which had initially been approved to have a third party build and operate the central utility plant, from which WAH would purchase needed utility services. Mr. McDonald said that the funding sources for the new project expenditures would be approximately \$39.3 million in debt obtained from the sale of bonds and approximately \$24.8 million in cash. Staff recommended that the Commission approve the proposed modification, maintaining the same conditions issued with the 2015 Certificate of Need. Commissioner Hafey made a motion to approve the staff recommendation, which was seconded by Commissioner Carr-York and unanimously approved.

ACTION: Change to Approved Certificate of Need – Relocation of Washington Adventist Hospital and Establishment of a Special Hospital – Psychiatric (Docket No. 13-15-2349) is hereby APPROVED.

ITEM 6.

ACTION: Repeal and Replacement of COMAR 10.24.11 – State Health Plan for Facilities and Services – General Surgical Services – Proposed Permanent Regulation

Eileen Fleck, Chief of Acute Care Policy and Planning, presented the staff's recommendations for proposed permanent regulations to replace the General Surgical Services Chapter of the State Health Plan for Facilities and Services. She discussed staff's analysis of and its recommendations regarding comments that were received on the draft Chapter, which was released for informal public comment on July 20. Commissioner Pollak asked that the Commissioners consider the proposed regulatory goals for cost-effectiveness related to moving ambulatory surgery from rate -regulated hospital settings to non-rate regulated settings. Following discussion, Commissioner Pollak made a motion that the Commission approve the repeal and replacement of COMAR 10.24.11 as proposed permanent regulation, which was seconded by Commissioner Fleig and unanimously approved.

ACTION: COMAR 10.24.11 – State Health Plan for Facilities and Services: General Surgical Services is hereby approved as Proposed Permanent Regulation.

ITEM 7.

ACTION: Appointment of Dr. Jennifer Lawton to MHCC Cardiac Advisory Committee

Ms. Fleck presented information on Dr. Jennifer Lawton, Chief of Cardiac Surgery at Johns Hopkins Hospital, whom staff recommended as a member of the Cardiac Surgery Advisory Committee. She noted that Dr. Lawton would replace a former cardiac surgeon from Johns Hopkins Medicine, who had moved out of state. Ms. Fleck asked the Commissioners to approve the appointment of Dr. Lawton to the Committee. Commissioner Hafey made a motion to approve the appointment, which was seconded by Commissioner Carr-York and unanimously approved.

ACTION: Appointment of Dr. Jennifer Lawton to the MHCC Cardiac Surgery Advisory Committee is hereby APPROVED.

ITEM 8.

PRESENTATION: COMAR 10.25.18 – Health Information Exchanges: Privacy and Security of Protected Health Information – Draft Regulations

Angela Evatt, Chief of Health Information Exchange, presented draft amendments to COMAR 10.25.18 – Health Information Exchanges: Privacy and Security of Protected Health Information, which address the exchange of sensitive health information. The draft amendments aim to foster the exchange of sensitive health information to improve care delivery, and uphold current federal and State laws regarding patient consent.

ITEM 9.

PRESENTATION: Electronic Health Records – Physician Adoption Infographic

Ms. Evatt also presented key findings from the Commission's staff's information brief titled *Physician Adoption of Electronic Health Records*. She noted that widespread adoption and meaningful use of electronic health records are essential components of health care reform and can improve the quality of care, increase efficiencies, and reduce health care costs. Ms. Evatt highlighted current trends and staff's initiatives to expand adoption and meaningful use of electronic health records.

ITEM 10.

Overview of Upcoming Initiatives

Mr. Steffen announced that the Commission will consider the Rural Healthcare Delivery Workgroup's Report and Recommendations, and receive an update on the consumer website for Commercial Health Plan Performance at the October meeting. He also announced that the Commission will convene a press conference for the release of its health care costs transparency tool on Thursday, October 19, 2017 at 11:00 a.m. at the Commission's offices.

ITEM 11.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:10 p.m. following a motion by Commissioner O'Connor, which was seconded by Commissioner Fleig and unanimously approved.