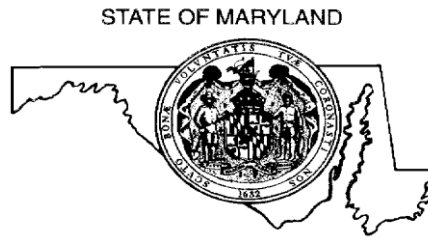


Robert E. Moffit
CHAIR



Ben Steffen
EXECUTIVE DIRECTOR

MARYLAND HEALTH CARE COMMISSION

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

Thursday, November 16, 2017

Minutes

Chairman Moffit called the meeting to order at 1:00 p.m.

Commissioners present: Fleig, Metz, O’Grady, Peters, Phillips, Pollak, Sergent, Thomas, Tomarchio, and Wang

ITEM 1.

Approval of the Minutes

Commissioner Fleig made a motion to approve the minutes of the October 19, 2017 meeting of the Commission, which was seconded by Commissioner Sergent and unanimously approved.

ITEM 2.

Update of Activities

Ben Steffen, Executive Director, reported on the Commission’s price transparency tool, the “WearTheCost” website that displays health care cost and quality for entire episodes of care. Mr. Steffen noted that, in the WearTheCost release, cost and quality measures reflect 2014 and 2015 commercial fully insured claims data, and that readmission rates are included as a quality measure.

David Sharp and Angela Evatt provided an overview of the round 6 telehealth grant announcement, which focuses on remote medication management and reconciliation. Ms. Evatt discussed the use case development process, and timeline for the grant process. She also noted that staff plans to competitively select a vendor to develop a telehealth readiness assessment tool.

Paul Parker, Director of the Center for Health Care Facilities Planning and Development, announced that Kathy Ruben had resigned and has been named the Executive Director of Consumer Health First. Kevin McDonald introduced Mariama Gondo, a new Certificate of Need analyst, to the members of the Commission.

ITEM 3.

OVERVIEW: Maryland's Hospital Safety Grade – The Leapfrog Group

Chairman Moffit said that the Leapfrog Group released its 2017 Hospital Patient Safety Grade results on October 31. He pointed out that, for the first time, Maryland hospitals were included in the national scoring system and that, while the results are not as positive as hoped, this was an important first step. Dr. Moffit stated that one of the MHCC's greatest services to the public is to shine a light on both successes and problems in health care delivery and to spur improvement where needed. The results from this Leapfrog report will contribute to the Commission's efforts to improve the transparency and thus the quality and safety of Maryland hospitals. He introduced Leah Binder, President and CEO of the Leapfrog Group, who reviewed its efforts to use transparency to improve the safety and quality of the health care system.

ITEM 4.

ACTION: Certificate of Need – Bethesda Chevy Chase Surgical Center (Docket No. 17-15-2401)

Bethesda Chevy Chase Surgical Center applied for a Certificate of Need to establish an ambulatory surgical facility by adding a second operating room to its existing physician office surgery center. Bill Chan, health policy analyst, presented the staff recommendation. Commissioner Fleig made a motion to approve the staff recommendation, which was seconded by Commissioner Pollak and unanimously approved.

ACTION: Certificate of Need – Bethesda Chevy Chase Surgical Center (Docket No. 17-15-2401) is hereby Approved.

ITEM 5.

ACTION: Change in Approved Certificate of Need – Suburban Hospital (Docket No. 15-15-2368)

Chairman Moffit stated that, in May 2016, the MHCC issued a Certificate of Need to Suburban Hospital to modernize the hospital, a project that included the construction of shell space designed to accommodate future replacement nursing units. He noted that Suburban sought to modify the previously approved CON to build out the shell space and to make other design changes that improve the operational efficiency and physical layout of the new addition. Kevin McDonald, Chief of the Certificate of Need Division, presented the staff recommendation requesting approval of the requested modification. Commissioner Thomas made a motion to approve the modification of the Certificate of Need, which was seconded by Commissioner O'Grady and unanimously approved.

ACTION: Modification of the Certificate of Need for Suburban Hospital (Docket No. 15-15-2368) is hereby Approved.

ITEM 6.

ACTION: COMAR 10.24.09 – State Health Plan for Facilities and Services: Specialized Health Care Services – Acute Inpatient Rehabilitation Services – Emergency and Proposed Regulations

Maryland Health Care Commission staff requested that the Commission adopt emergency and proposed regulations that amend COMAR 10.24.09, the State Health Plan Chapter for Acute Inpatient Rehabilitation Services ("Acute Rehabilitation Chapter"). Paul Parker presented for consideration as both emergency and proposed regulations changes to the Acute Rehabilitation Chapter. Suellen Wideman, the Commission's Assistant Attorney General, explained that the adoption of the regulations could limit legal challenges. Commissioner Fleig made a motion that the Commission adopt changes to COMAR 10.24.09 as emergency and proposed regulations, which was seconded by Commissioner Sergent and unanimously approved.

ACTION: Adoption of Amendments to COMAR 10.24.09 – State Health Plan for Facilities and Services: Specialized Health Care Services – Acute Inpatient Rehabilitation Services – Emergency and Proposed Regulations is hereby Approved.

ITEM 7.

ACTION: MCDB Data Submission Manual

Dr. Moffit stated that, each November, the MHCC formally updates its Medical Care Data Base (MCDB) Submission Manual for the upcoming year. Ken Yeates-Trotman, Chief of All Payer Claims Database, presented the updates to the MCDB Submission Manual and noted that the manual provides designated reporting entities with the technical specifications, layouts, and definitions necessary for filing the reports required under COMAR 10.15.06. He stated that several minor changes were included for 2018 to make the information more useful for public reporting and for cost analyses conducted by MHCC, HSCRC, and the MIA. Commissioner O'Grady made a motion that the Commission approve release of the Manual, which was seconded by Commissioner Wang and unanimously approved.

ACTION: Release of the 2018 MCDB Data Submission Manual is hereby Approved.

ITEM 8.

ACTION: Approval for Release – Maryland Trauma Physician Services Report

Chairman Moffit announced that, in 2003, the Maryland General Assembly enacted legislation creating the Maryland Trauma Physician Services Fund (Trauma Fund) to aid Maryland's trauma system by reimbursing trauma physicians for uncompensated care losses and by raising Medicaid payments to 100 percent of the Medicare rate when a Medicaid patient receives trauma care at a designated center. Bridget Zombro, Director of Administration, and Karen Rezabek, Program Manager, presented the report, noting that the Trauma Fund has generated a fund balance largely because uncompensated care payments have declined as a result of Medicaid expansion. Two years ago, the Commission voted to raise uncompensated and on-call payments for trauma care to 105% of the Medicare rate. Last year, the Commissioners told staff to include recommendations for reducing the fund balance. This year's report contains recommendations that for possible regulatory and statutory changes the General Assembly could adopt. Following

discussion, Commissioner Pollak made a motion that the Commission approve release of the report, which was seconded by Commissioner O’Grady, and unanimously approved with a slight modification requested by Chairman Moffit.

ACTION: Release of the Maryland Trauma Physician Services Fund Report is hereby Approved.

ITEM 9.

ACTION: Approval for Release – Annual Mandate Report: Coverage of Fertility Preservation Procedures for Iatrogenic Infertility

Chairman Moffit pointed out that Maryland law requires that the Commission annually assess the impact of proposed mandated health insurance services that failed to pass during the preceding legislative session or that were submitted to the Commission by a legislator before July 1 of each year. The report is due to the General Assembly by December 31. This spring, the MHCC received a formal request from the Legislative Committees with oversight to assess a proposed mandate for coverage of fertility preservation procedures for iatrogenic infertility. The Commission’s consulting actuary, Donna Novak, Founder of NovaRest, and Karen Bender, NovaRest’s subcontractor, presented the reports, along with Janet Ennis of Commission staff. NovaRest indicated that the mandate would not have a material impact on the total cost of health care in Maryland, but did observe that the cumulative impact of mandates can be significant. Commissioner O’Grady made a motion that the Commission approve release of the report, which was seconded by Commissioner Wang and unanimously approved.

ACTION: Release of the Annual Mandate Report: Coverage of Fertility Preservation Procedures for Iatrogenic Infertility is hereby Approved.

ITEM 10.

Overview of Upcoming Initiatives

Mr. Steffen announced that the December meeting of the Commission will include a presentation of an Information Brief on Hospital Breaches, a Telehealth/mHealth Grant Announcement, a presentation on Outpatient Quality, and one or more Certificate of Need actions.

ITEM 11.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:10 p.m. following a motion by Commissioner O’Grady, which was seconded by Commissioner Thomas and unanimously approved.