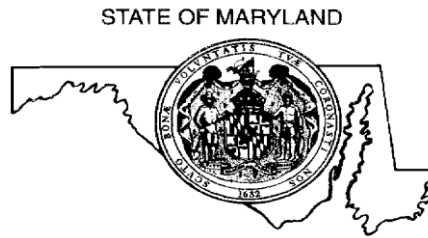


Robert E. Moffit
CHAIR



Ben Steffen
EXECUTIVE DIRECTOR

MARYLAND HEALTH CARE COMMISSION

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Thursday, October 19, 2017

Minutes

Chairman Moffit called the meeting to order at 1:40 p.m.

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

ITEM 1.

Approval of the Minutes

Commissioner Sergent made a motion to approve the minutes of the September 19, 2017 public meeting of the Commission, which was seconded by Commissioner O'Grady and unanimously approved.

ITEM 2.

Update of Activities

Ben Steffen, Executive Director, said that prior to the public meeting, several Commissioner attended the press conference for the release of the Commission's price transparency tool, "WearTheCost."

Paul Parker, Director, Center for Health Care Facilities Planning and Development, announced that Dr. Rawn Salenger has been selected to fill the vacant Co-Vice Chair position on the Cardiac Services Advisory Committee.

ITEM 3.

ACTION: Certificate of Need – Exceptions Hearing on Staff Report and Recommendation – Presbyterian Senior Living Services, Inc. d/b/a Glen Meadows Retirement Community (Docket No. 17-03-2395)

Chairman Moffit stated that Glen Meadows Retirement Community had sought Certificate of Need approval to relocate 22 temporarily delicensed publicly available nursing home beds to the

nursing home that it operates on its retirement community campus and that is currently restricted to members of the community. Staff recommended that the Commission deny Glen Meadows' application, concluding that the applicant failed to meet the applicable State Health Plan standards CON review criteria, particularly those regarding bed need.

The Staff Report and Recommendation was issued on October 3, 2017. Glen Meadows filed exceptions to the Staff Report on October 16, 2017 (after Glen Meadows requested and was granted an extension from the original due date of October 10). Staff's written response to the exceptions was filed on October 18, 2017.

The Commission held an exceptions hearing. Glen Meadows, through its attorney, Rose Matricciani, presented oral and rebuttal arguments on its written exceptions. Commission Staff, through Assistant Attorney General Suellen Wideman, presented its argument. Commissioners had questions for both attorneys. Vice Chair Phillips made a motion that the Commission adopt the Staff Report and Recommendation, which was seconded by Commissioner O'Connor. Following discussion among with members of the Commission, the Staff Report and Recommendation was unanimously approved. Chairman Moffit noted that the issues raised during the discussion of this matter would be included in the Commission's study of the Certificate of Need program. He reiterated that the Commission had adopted the Staff Report and Recommendation as its decision, which meant that Glen Meadows' CON application was denied.

ACTION: Certificate of Need –Staff Report and Recommendation – Presbyterian Senior Living Services, Inc. d/b/a Glen Meadows Retirement Community (Docket No. 17-03-2395) is hereby DENIED.

ITEM 4.

ACTION: Transforming Maryland's Rural Healthcare System: A Regional Approach to Rural Healthcare Delivery

During the 2106 legislative session, SB 707 "Freestanding Medical Facilities – Certificate of Need, Rates, and Definitions" passed into law. The legislation established a workgroup on rural health care delivery to oversee a study of health care delivery in the Middle Shore region of Maryland and to develop a plan for meeting the health care needs of the five counties: Caroline, Dorchester, Kent, Queen Anne's, and Talbot. Erin Dorrien, Chief, Government and Public Affairs, and Dr. Joseph Ciotola, Co-Chair, Rural Healthcare Delivery Workgroup, presented a summary of the report and the Workgroup's unanimous recommendations. Following extensive discussion among the Commission members, Commissioner Pollak made a motion to approve release of the Workgroup's Report to the Maryland General Assembly, which was seconded by Commissioner O'Connor and unanimously approved.

ACTION: Approved for Release - Transforming Maryland's Rural Healthcare System: A Regional Approach to Rural Healthcare Delivery

ITEM 5.

UPDATE: 2017 Health Plan Performance

Chairman Moffit stated that the Maryland Health Care Commission has reported on the quality of Maryland health plans since 1997. Over the years, staff has modified the report to reflect advances in quality measurement, and changes in the private insurance market. Sherma Charlemagne-Badal, Chief, Division of Long Term Care and Health Plan Performance, provided an overview of the results of the Commission's 2017 Maryland Commercial Health Plan Performance evaluation, which is available on the Commission's website at: http://mhcc.maryland.gov/mhcc/pages/apcd/apcd_quality/apcd_quality_hbp.aspx

ITEM 6.

PRESENTATION AND DISCUSSION: Study of the Certificate of Need Program Requested by the Maryland General Assembly

In June of this year, the Chairs of the Senate Finance Committee and the House Health and Government Operations requested that MHCC develop recommendations to reform health planning and certificate of need processes. Paul Parker, Director of the Center for Health Care Facilities Planning and Development, presented a study plan for reform and modernization of the Certificate of Need program in the coming year. The Commissioners discussed the study plan and its key elements.

ITEM 7.

Overview of Upcoming Initiatives

Mr. Steffen announced that the November meeting of the Commission will include consideration of the Commission Staff's Annual Report on the Maryland Trauma Physician Services Fund, including recommendations for alternative uses for the Fund's surplus, as well as a request to evaluate a mandate for coverage of fertility preservation for patients having diseases such as cancer. The Commission staff will also announce the next round of telehealth grants. Ms. Leah Binder, President and CEO of The Leapfrog Group will present information regarding Maryland hospital patient safety results. Commission staff will also provide an update on Maryland's Total Cost of Care Agreement with the Centers for Medicare and Medicaid Services.

ITEM 8.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:20 p.m. following a motion by Commissioner Thomas, which was seconded by Commissioner O'Grady and unanimously approved.