



**Thursday, March 20, 2025**

**MINUTES**

Commissioner Sergent called the meeting to order at 1:05 p.m.

**Commissioners present via telephone and in person:** Bhandari, Blake, Boyle, Buczynski, Douglas, Gelrud, Spinner, Stroughton-Duncan, Wang and Wood.

**AGENDA ITEM 1**

**ACTION: CONSENT AGENDA**

**A. Approval of Minutes: February 20, 2025**

Item 1A was adopted without objection.

**AGENDA ITEM 2**

**Update of Activities**

David Sharp, Acting Executive Director, of the Maryland Health Care Commission (MHCC or Commission), recognized Cathy Weiss, who will retire on April 1 after 39 years of dedicated service to the State. Over the course of her career, Ms. Weiss has made many significant contributions. A few highlights include her work with the HSCRC and the Feinblatt Commission on health care reform, her role in developing the State Health Plan, and her expert guidance on home health care matters. David asked that all join in expressing gratitude to Cathy for her exceptional service and wishing her all the best in her retirement.

Next, David briefly spoke about a Certificate of Need (CON) application for an intermediate care facility. He stated that the staff had received a CON application for a new ICF from Foundations Inpatient, LLC. The application is expected to be docketed in April, and Commissioners can look forward to reviewing it in the near future.

David spoke briefly about the Trauma Fund. The Commission has contracted with a new third party administer, SCAC Management Groups, to administer uncompensated care claims beginning April 1, 2025. David said that staff processed 10 on-call costs application payments for the Trauma Fund, totaling \$7.8 million. The MHCC anticipates receiving applications from the University of Maryland Capital Region Medical Center, as well as UPMC Western Maryland by the end of March.

Next, David discussed the Center for Quality Management and Reporting. He stated that on March 12, Courtney Carta from the Center for Quality Management and Reporting gave a presentation on the evolution of the quality reporting website during an event hosted by the Horowitz Center at the University of Maryland. The Horowitz Center collaborates with State agencies to promote the use of plain language in communications related to health, safety, insurance, and social services.

Lastly, David stated that on March 15, the Black Family Wellness Expo was held in Baltimore City, which provided a day of support and free health and wellness resources for the community. The Center for Quality Management and Reporting participated to raise awareness about the Commission's Quality Reporting website and its role in promoting informed health care decisions. The event was well attended. David thanked Commissioner Blake for inviting MHCC staff to be a part of this important occasion.

### **AGENDA ITEM 3**

#### **ACTION: Certificate of Ongoing Performance for Percutaneous Coronary Intervention Services for Sinai Hospital (Docket No. 24-24-CP055)**

Eliot Burkom, Program Manager, presented the staff report and recommendation for the Certificate of Ongoing Performance application submitted by Sinai Hospital of Baltimore (Sinai) for primary and elective percutaneous coronary intervention (PCI) services. He provided an overview of the staff's analysis of Sinai's Certificate of Ongoing Performance application. Staff recommended approval of Sinai's application to allow the hospital to continue providing primary and elective PCI services for four years.

Commissioner Gelrud moved to APPROVE the Certificate of Ongoing Performance for Percutaneous Coronary Intervention Services for Sinai Hospital, which was seconded by Commissioner Stroughton-Duncan and, after discussion, unanimously approved.

**ACTION: Certificate of Ongoing Performance for primary and elective PCI services for Sinai Hospital is hereby APPROVED for a four-year period.**

### **AGENDA ITEM 4**

#### **ACTION: Certificate of Ongoing Performance for Percutaneous Coronary Intervention Services for University of Maryland St. Joseph Medical Center (Docket No. 24-03-CP057)**

Program Manager, Katie Neral, presented the staff report and recommendation for the Certificate of Ongoing Performance application submitted by the University of Maryland St. Joseph Medical Center (UM SJMC) for the continuation of primary and elective percutaneous coronary intervention (PCI) services. She provided an overview of select standards used to evaluate UM SJMC's Certificate of Ongoing Performance application, noting the hospital's

compliance. Staff recommended that the Commission approve UM SJMC's application to allow the hospital to continue providing primary and elective PCI services for four years.

Commissioner Boyle moved to APPROVE the Certificate of Ongoing Performance for Percutaneous Coronary Intervention Services for University of Maryland St. Joseph Medical Center, which was seconded by Commissioner Douglas and, after discussion, unanimously approved.

**ACTION: Certificate of Ongoing Performance for Percutaneous Coronary Intervention Services for University of Maryland St. Joseph Medical Center is hereby APPROVED for a four-year period.**

## **AGENDA ITEM 5**

**ACTION: Certificate of Ongoing Performance for Percutaneous Coronary Intervention Services for TidalHealth Peninsula Regional (Peninsula Regional) (Docket No. 24-22-CP058)**

Katie Neral, Program Manager, presented the staff report and recommendation for the application for a Certificate of Ongoing Performance submitted by TidalHealth Peninsula Regional (Peninsula Regional) for the continuation of primary and elective percutaneous coronary intervention (PCI) services. Ms. Neral provided an overview of select standards with the hospital's compliance noted, and staff recommended that the Commission approve Peninsula Regional's application to allow the hospital to continue providing primary and elective PCI services for the next four years, with the following two conditions:

1. Peninsula Regional shall hold meetings to review primary PCI cases at least every other month that include attendance by interventionalists and other physicians, nurses, and technicians, as required in COMAR 10.24.17.07D(5)(a). Peninsula Regional shall submit to Commission staff attendance lists for each of these meetings held between May and October by December 1 of each year and attendance lists for meetings held between November and April by June 1 of each year, beginning in April 2025, until at least March 2027, to document compliance with this condition. After this date, the Executive Director may release Peninsula Regional from the reporting requirement if the Executive Director determines that the hospital has achieved substantial compliance with this condition.
2. Peninsula Regional shall evaluate the performance of each interventionalist through an internal or external review, by completing an annual review of at least 10 cases, or 10 percent of randomly selected PCI cases, whichever is greater, and all cases if the interventionalist performed fewer than 10 cases at the hospital, as required in COMAR 10.24.17.07C(4)(d). The hospital shall submit to Commission staff the number of PCI cases completed by each interventionalist, along with a list of cases reviewed for each interventionalist, for each CY by February 1 of each year, beginning with CY 2025 (due by February 2026), until at least February 2027, to document compliance with this

condition. After this date, the Executive Director may release Peninsula Regional from the reporting requirement if the Executive Director determines that the hospital has achieved substantial compliance with this condition.

Commissioners asked for clarification of the slides showing adjusted mortality rates.

Commissioner Gelrud moved to CHANGE condition number 1 to require reporting quarterly, instead of every six months, which was seconded by Commissioner Stroughton-Duncan and, after discussion, unanimously approved.

Commissioner Buczynski moved to conditionally APPROVE the Certificate of Ongoing Performance for Percutaneous Coronary Intervention Services for TidalHealth Peninsula Regional (Peninsula Regional) subject to the amended condition, which was seconded by Commissioner Bhandari and, after discussion, unanimously approved.

**ACTION: Certificate of Ongoing Performance for Percutaneous Coronary Intervention Services for TidalHealth Peninsula Regional (Peninsula Regional) is hereby APPROVED with conditions for a four-year period.**

#### **AGENDA ITEM 6**

**ACTION: COMAR 10.25.18, Health Information Exchanges: Privacy and Security of Protected Health Information**

Anna Gribble, Assistant Chief, Health Information Technology, presented draft amendments to COMAR 10.25.18 that support the implementation of legislation passed by the General Assembly in 2021 and 2022. The legislation requires the State-Designated Health Information Exchange, CRISP, to develop a consumer consent management application, operate a health data utility, and collect noncontrolled prescription drug information from dispensers. The Commission approved proposed regulations at the October 2024 Commission meeting, which were published in the Maryland Register on December 2, 2024 for a 30-day comment period. After review of the comments received, staff recommended that the Commission make only non-substantive changes to the proposed regulations.

Commissioner Gelrud moved to ADOPT COMAR 10.25.18, Health Information Exchanges: Privacy and Security of Protected Health Information, which was seconded by Commissioner Douglas and, after discussion, unanimously APPROVED.

**ACTION: COMAR 10.25.18, Health Information Exchanges: Privacy and Security of Protected Health Information is hereby ADOPTED as final permanent regulations.**

#### **AGENDA ITEM 7**

**ACTION: Designation of the Maryland Patient Safety Center**

During the February 20, 2025, public meeting of the Commission, staff presented an update on the Maryland Patient Safety Center, including recent developments related to possible loss of State funding in FY2026. The current designation of Maryland Patient Safety Center as the State's patient safety center expires December 31, 2025. Theresa Lee, Director of the Center of Quality Measurement and Reporting, summarized the staff recommendation to extend the Center's designation until June 30, 2027 to allow for the identification of alternative funding sources to support continuation of the Center's activities.

Commissioner Boyle moved to EXTEND the designation of the Maryland Patient Safety Center until June 20, 2027, which was seconded by Commissioner Douglas and, after discussion, unanimously approved.

**ACTION: Designation of the Maryland Patient Safety Center is hereby EXTENDED.**

## **AGENDA ITEM 8**

### **PRESENTATION: Legislative Overview**

Tracey DeShields, Director of Policy Development and External Affairs, gave a legislative update on the events of the legislative session. She provided a few fun facts about the session as noted:

- March 17<sup>th</sup> St. Patrick's Day was crossover for bills to move to the opposite chamber;
- March 31st is the 83rd Day of the Budget bill to be passed by both Chambers (*it was noted that the legislature was not going to meet the 83<sup>rd</sup> day to pass the budget*);
- 1379 bills were introduced in the Senate;
- 1899 bills were introduced in the House; and
- Staff are currently tracking approximately 206 bills.

Ms. DeShields reviewed the bill activities that occurred prior to the crossover date of March 17 and the February Commission meeting. She also mentioned the bills with bill hearings to date. Ms. DeShields reviewed the status of the bills that MHCC provided comments on to date.

Ms. DeShields also mentioned that the budget hearings for the Commission were carried out and there were no issues.

**ACTION REQUESTED: NONE**

## **AGENDA ITEM 9**

### **OVERVIEW OF UPCOMING ACTIVITIES**

David previewed April's Commission meeting. He stated that there would be a few action items—2025 Psychiatric Bed Utilization Projections and Updated Need Determinations for

Special Population, 2025 Home Health Agency Need Determination, and Draft Noncontrolled Prescription Drugs Dispenser Reporting Manual. David stated that there would be two presentations—a legislative overview and a spotlight on health care data breaches.

**ACTION REQUESTED: NONE**

#### **AGENDA ITEM 10**

##### **CLOSED SESSION: Personnel Matter**

Commissioner Douglas made a **MOTION** to move into closed session under General Provisions § 3-305(b)(1) to discuss a personnel matter involving an individual, which was seconded by Commissioner Boyle and unanimously approved.

At 2:15pm, the Commission moved to the small conference room at MHCC's office, with some commissioners attending remotely.

The following persons were present during the closed session:

Chair Sergeant; Commissioners Bhandari, Boyle, Bucynzski, Douglas, Gelrud, Spinner, Stroughton-Duncan, Wang, and Wood; Assistant Attorneys General Caitlin Tepe and Alexa Bertinelli.

The Commission discussed the appointment of an acting executive director to MHCC. Commissioner Douglas moved to APPOINT David Sharp as the acting executive director to MHCC, which was seconded by Commissioner Boyle, and unanimously approved.

**ACTION: David Sharp APPOINTED as acting executive director of the Commission**

#### **AGENDA ITEM 11**

##### **ADJOURNMENT**

Chairman Sergeant asked for a motion to adjourn the meeting. There being no further business, the meeting was adjourned at 2:26 p.m. upon the motion of Commissioner Douglas.