Thursday, April 17, 2025

MINUTES

Commissioner Sergent called the meeting to order at 1:03 p.m.

Commissioners present via telephone and in person: Agbabiaka, Bhandari, Blake, Boyle, Buczynski, Cheatham, Douglas, Gelrud, Gilmore, Jensen, and Wang.

AGENDA ITEM 1

ACTION: CONSENT AGENDA

   A. Approval of Minutes: March 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), discussed a request from the Chair of the Senate Finance Committee for MHCC to evaluate the financial impact of proposed mandated health insurance services introduced during the 2025 legislative session. If passed, the legislation would establish new coverage requirements. The request pertains to SB 411 (postpartum depression screening), SB 508 (aesthetic and restorative care for victims of domestic violence), SB 518 (ovarian cancer screening), and SB 961 (pharmacogenomic testing). The request for proposals has been released, with final reports due in the fall.

On April 8th, the Maryland Department of Health Office of Minority Health and Health Disparities hosted a public Minority Health Resource Fair at the State Office Building. More than 30 organizations participated, offering health information, screenings, free vaccinations, and testing for conditions, such as high blood pressure and A1C. Staff attended the event, engaging with the public and promoting the valuable resources available on the Commission's website.

It was noted that the Patient Centered Episode System (PACES) has been selected as the new vendor to support episode development for the Wear the Cost initiative, a price transparency tool that helps consumers compare health care costs at Maryland hospitals for common non-emergency procedures. PACES is a nonprofit organization based in Brooklyn, New York, operating in 32 states. Onpoint Health Data, MHCC's all-payor claims database vendor, will

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assist with episode development, with the technology expected to be operational in the second quarter of 2025.

Staff received a request for a Post-Approval Project Change related to the Certificate of Need (CON) for the replacement and relocation of the University of Maryland Shore Medical Center at Easton. However, the changes do not significantly alter the project's design, budget, timeline, or financing and do not require Commission approval under the regulations.

Eileen Fleck introduced MHCC's latest staff member, Jennay Ghowrwala, new Program Manager in the Acute Care Policy and Planning Division.

AGENDA ITEM 3

ACTION: Draft Noncontrolled Prescription Drugs Dispenser Data Submission Manual

Anna Gribble, Assistant Chief, Health Information Technology, presented the draft Noncontrolled Prescription Drugs Data Submission Manual, which supports the implementation of legislation passed by the General Assembly in 2022. The manual provides technical guidance to dispensers who are required to report noncontrolled prescription drug information to the State-Designated Health Information Exchange.

Commissioner Gelrud moved to APPROVE the Draft Noncontrolled Prescription Drugs Dispenser Data Submission Manual, which was seconded by Commissioner Boyle and, after discussion, unanimously approved.

ACTION: Draft Noncontrolled Prescription Drugs Dispenser Data Submission Manual is hereby APPROVED.

AGENDA ITEM 4

PRESENTATION: Legislative Overview

Tracey DeShields, Director of Policy Development and External Affairs, gave a legislative update on the wrap-up of the legislative session. She provided a few fun facts on the end of the session. A few facts noted:

Sine Die occurred on Monday April 7th – Notable observations from the 2025 General Assembly, 447th Session:

- 1,380 bills introduced in the Senate;
- 1,901 bills introduced in the House;
- 878 bills passed;
- 94 bill enacted to date; and
- 206 bill were tracked by staff.

Ms. DeShields reviewed the bill activities that occurred in the waning hours of the legislative session. The legislature bill passed the State budget, *HB 350 – Budget Bill (Fiscal Year 2026) – (Enacted)*, a $66.9 billion budget for the upcoming Fiscal Year 2026. The budget met Spending Affordability goals; preserved reserves to protect against the impact of federal actions; fully funded the Blueprint for Maryland's Future; continued to provide vital health services (through Medicaid); and added funds to save services for the developmentally disabled. In addition, the legislature allotted $2.1 billion to the Rainy-Day Fund (Revenue Stabilization Account) and $317 million in the State's general fund (surplus).

Ms. DeShields reviewed the status of the bills that MHCC weighed in on during the session and what if any impact there was on MHCC. She noted the studies that MHCC is required to do and the workgroups MHCC is a member of and/or co-chairing and staffing, which are listed below:

Studies and Workgroup

Mandate Studies

SB 374/HB 459 – Health Insurance – Cancer Screening for Professional Firefighters – Required Coverage (James "Jimmy" Malone Act) (Letter of Information) – (Passed)
- MHCC study the impact of expanding the preventive cancer screenings coverage
- Due date December 1, 2028

SB 411 – Health Insurance - Postpartum Depression Screening - Required Coverage and Authorized Cost Sharing

SB 508 – Maryland Medical Assistance Program and Health Insurance - Required Coverage for Aesthetic Services and Restorative Care for Victims of Domestic Violence (Healing Our Scars Act)

SB 518 – Health Insurance - Screening for Ovarian Cancer - Required Coverage and Prohibited Cost Sharing

SB 961 – Maryland Medical Assistance Program and Health Insurance - Pharmacogenomic Testing - Required Coverage

Telehealth

SB 372/HB 869 – Preserve Telehealth Access Act of 2025 (Support) - (Passed)
- Report on the advancements in telehealth
- Due every four years beginning December 1, 2026

Cybersecurity

SB 691/HB 333 - Cybersecurity - Healthcare Ecosystem – (Letter of Information); (Support as Amended) - (Passed)

- Workgroup (member and co-chair with MIA)
- Interim Report Due January 1, 2026; Final Report due December 1, 2026

Healthcare System - Adverse Decisions

SB 776/HB 995 – Workgroup to Study the Rise in Adverse Decisions in the State Health Care System - (No Position) – (Passed)

- Workgroup (member)

ACTION REQUESTED: NONE

AGENDA ITEM 5

PRESENTATION: Spotlight: Health Care Data Breaches

Kelly Scott, Program Manager in the Health Information Technology Division, presented observations from an analysis of health care data breaches reported to the U.S. Department of Health and Human Services, Office for Civil Rights. The presentation highlighted breach trends, including growth among third parties and nation state hackers. Ms. Scott noted findings from literature on the cybersecurity landscape.

ACTION REQUESTED: NONE

AGENDA ITEM 6

PRESENTATION: COMAR 10.24.07 White Paper - Residential Treatment Center Services

Eileen Fleck, Chief, Acute Care Policy and Planning presented a White Paper on residential treatment center services, written by MHCC staff in preparation for an update of the State Health Plan Chapter for Residential Treatment Centers (COMAR 10.24.07). Ms. Fleck provided an overview of the White Paper and explained the policy implications of the research conducted by MHCC staff. Commissioners expressed concern at the large reduction in capacity at residential treatment centers (RTCs) and the lack of sufficient reimbursement. Commissioners also indicated approval of taking a flexible approach to evaluating CON applications to establish or expand an RTC. Commissioners also advised taking steps to identify the need for RTC services through analysis of data collected already.

ACTION REQUESTED: NONE

<center>**AGENDA ITEM 7**</center>

PRESENTATION: Harnessing AI in Patient Care: Advancing Delivery, Innovation, and Privacy and Security

Bill Reid, Google Cloud's Office of the Chief Information Security Officer and Kimberly Peairs, M.D., Vice Chair for Clinical Affairs and Ambulatory at the Johns Hopkins Department of Medicine and the Medical Director for Primary Care Value and Innovation in the Office of Johns Hopkins Physicians presented on generative artificial intelligence and considerations for governance. Mr. Reid described generative artificial intelligence as application, data, infrastructure, and model, each with varying considerations for responsible use, data protections and privacy, and security. Dr. Peairs described the approach taken by the Johns Hopkins Responsible AI Task Force in implementing a responsible AI governance structure.

ACTION REQUESTED: NONE

<center>**AGENDA ITEM 8**</center>

OVERVIEW OF UPCOMING ACTIVITIES

David Sharp provided a preview of the May Commission meeting, noting several key action items: an application for a Certificate of Ongoing Performance from Holy Cross Hospital of Silver Spring, a Post-Approval Project Change request from Luminis Health Doctors Community Medical Center, and the 2025 Home Health Agency Need Determination. The meeting will also feature several presentations, including a legislative overview, the 2023 Professional Services Report Update, the 2024 Nursing Home Family Experience of Care Survey Results, and an update on HIE Vendor Compliance regarding technological capabilities for blocking legally protected health information.

ACTION REQUESTED: NONE

<center>**AGENDA ITEM 9**</center>

ADJOURNMENT

Chairman Sergent asked for a motion to adjourn the meeting. There being no further business, the meeting was adjourned at 4:21 p.m. upon the motion of Commissioner Jensen.