

MARYLAND HEALTH CARE COMMISSION

UPDATE OF ACTIVITIES

May 2024

EXECUTIVE DIRECTION

Government Relations and Special Project – Tracey DeShields

State Policy Update

The legislative session has concluded. The last day of session was April 8, 2024. It was a once in a lifetime ending to session with a solar eclipse. Members of the Senate and the House took a break from their work on the last day to take in the solar eclipse. The General Assembly passed a \$63 billion budget as well legislation on climate goals, the economy, promoting equity, and increasing transparency for consumers. A detailed legislative wrap-up on the impact of the legislative session on MHCC’s work will be provided at the May 16th Commission meeting.

Work on the Mental Health Workforce Assessment continues. The consultant group, Trailhead Strategies, is beginning the work on the actual report and the analysis of the data collected so far. Trailhead Strategies asked to expand the scope of the project to include using MLDS data to conduct analysis of current supply of Behavioral Health professionals from Maryland colleges and universities; 5 virtual community provider/educator input sessions; develop fund operational model (which agency will administer the fund, how funds will be distributed, how impact will be evaluated long term, etc.); and to have an in-person planning session to prioritize recommendations, review findings, and plan for the operational model for the investment fund. Trailhead has set dates for the five virtual input meetings and set the date for the in-person planning session set for June 12th.

BreakThrough (BT) Technologies has begun work on the MHCC website redesign. The first steps of the redesign are underway -- the first steps are understanding our current website and the plan for the new website redesign.

MHCC-related news coverage: selected articles and commentary

Health Disparities

“LifeBridge Health President & CEO recognized for addressing health disparities in Maryland,”
Newsroom, April 29, 2024

<https://newsroom.heart.org/local-news/lifebridge-health-president-ceo-recognized-for-addressing-health-disparities-in-maryland>

Health Insurance

Brown, D., *“Md. health department to conduct required studies on dental coverage, obesity treatments and more,”* Maryland Matters, April 29, 2024

<https://www.marylandmatters.org/2024/04/29/md-health-department-to-conduct-required-studies-on-dental-coverage-obesity-treatments-and-more/>

Health Information Data

S. Sample, “NACo 2024 Action Guide Shares County Policies for Supporting Family Caregivers, “Conduit Street - Maryland Association of Counties, April 30, 2024

<https://conduitstreet.mdcounties.org/2024/04/30/naco-2024-action-guide-shares-county-policies-for-supporting-family-caregivers/>

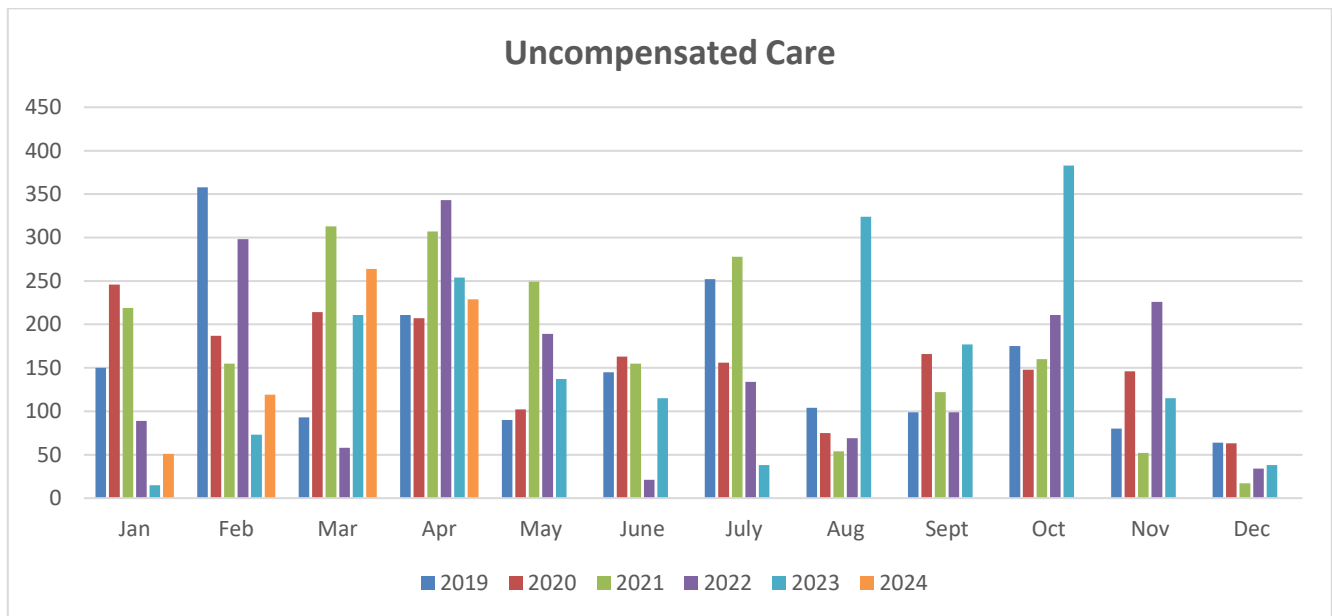
Maryland Trauma Physician Services Fund

On Call Applications

The Commission staff distributed awards to 11 trauma centers for on call services provided by trauma physicians for the period July – December of 2023. The total amount awarded was \$4,263,997.92. We’re still waiting to receive a completed application from the University of MD Capital Region (UMCP).

Uncompensated Care Processing

The Commission staff processed \$228,786.37 in uncompensated care claims for the month of April. All claims processing is on schedule.



MHCC Website: The MHCC website (<https://MHCC.maryland.gov>) had 4,463 during the month of April 2024.

Wear The Cost

In April 2024, 3,551 users visited the site. The site has seen a surge in traffic since staff updated the site in December 2023.

Maryland Quality Reporting

Maryland Quality Reporting had 1,305 total users in April, an 8.5% increase from the previous month. The website also had similar increases in sessions (an increase of 7.3%). Notably, the percentage of new users, or users who viewed the site for the first time, and views per session, or the number of web pages a user viewed

on the website, increased by 11.1% and 17.9%, respectively. The average session duration remained constant at four minutes and 3 seconds.

This month, the site received referrals of at least 15 users or more from Maryland 211(72 or 30.7%), Maryland Attorney General (19 or 8.1%), and A Place for Mom.

Surprisingly, LinkedIn was the primary social media referral source for the month. This is a departure from previous months when Facebook was the primary social media referral source, but it reflects the agency's increasing popularity on the LinkedIn platform.

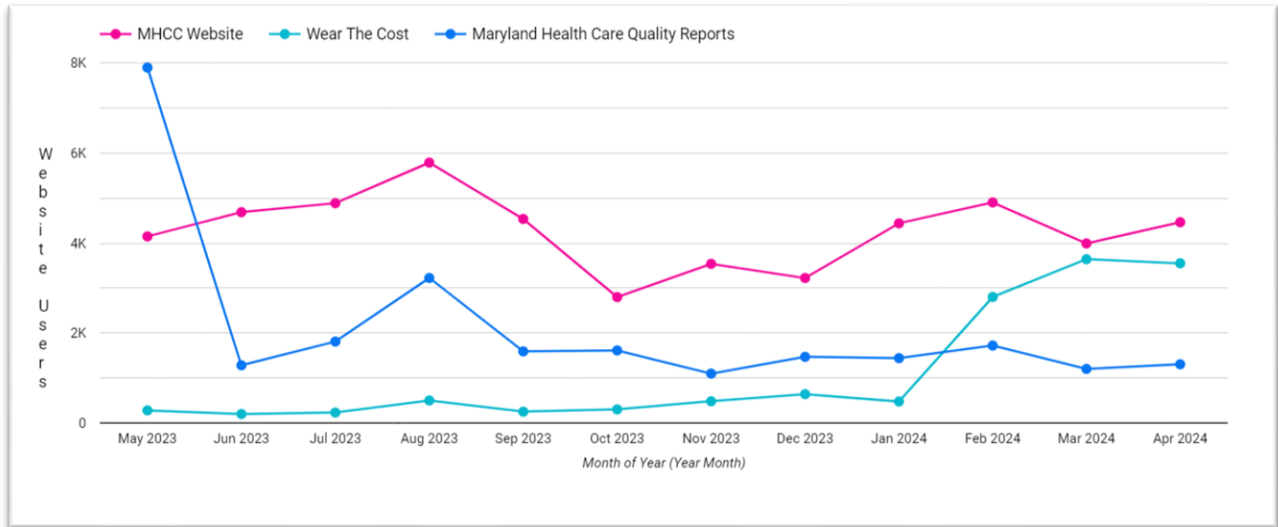


Figure 2 shows the number of website users over a 12-month period for each of the three websites maintained by Commission staff. Specific information about each website is listed above.

CENTER FOR ANALYSIS AND INFORMATION SYSTEMS

Kenneth Yeates-Trotman, Director, Center for Analysis and Information Systems

Cost and Quality Analysis – Shankar Mesta

MCDB Data Submission Status, Payor Compliance, and Technical Support

At the end of April 2024, 14 (39%) payors submitted Q1 2024 data through the Onpoint portal.

Out of the total 36 reporting entities, 14 (39%) have successfully submitted their Q1 2024 data through the Onpoint portal. Among the payor data submissions for Q1 2024, only 2 (6%) have been able to pass all tiers of quality checks. However, 12 (33%) of the payor data submissions are currently under review by Onpoint support staff due to certain issues in the initially submitted files. To ensure timely submission and avoid any undue penalties, Onpoint staff will be sending reminders to the remaining 22 payors, urging them to submit clean data before 05/30/2024.

MIA Ad hoc Active Providers Data Request

The staff at CAIS has updated the [active provider directory](#) for MIA using the 2022 MCDB claims dataset. This dataset can be a useful tool for carriers to evaluate their network adequacy planning and recruitment efforts. It includes information on providers in the Medical Care Data Base (MCDB) who have submitted claims for services provided in Maryland during the 2022 calendar year. The dataset contains the provider's name, address, and specialty fields obtained from the National Plan and Provider Enumeration System (NPPES) and Health Care Provider Taxonomy Code set.

CHIT Ad hoc Data Request

The CAIS staff completed a telehealth claims percentages analysis for the Center for Health Information Technology and Innovative Care Delivery (CHIT) staff. This analysis provided information about the percentage of telehealth claims made by the privately insured population in Maryland from July 1, 2022, to June 30, 2023.

The CHIT staff was interested in comparing this percentage with the national average percentage of telehealth claims for all claims, which is estimated to be around 5%, based on data from FairHealth. To provide the necessary insights, the Maryland Claims Database (MCDB) was used to analyze the data. The analysis revealed that the percentage of telehealth claims in Maryland was 6% compared to overall claims.

CENTER FOR HEALTH CARE FACILITIES PLANNING AND DEVELOPMENT

Acute Care Policy and Planning – Eileen Fleck

Certificates of Ongoing Performance

The Commission approved three Certificate of Ongoing Performance staff reports presented at the April Commission meeting: Percutaneous coronary intervention (PCI) services at MedStar Southern Maryland (Docket No. 19-16-CP027) and Frederick Health Hospital (Docket No. 19-10-CP025), and cardiac surgery at Sinai Hospital for (Docket No. 22-24-CP037).

Certificate of Ongoing Performance for PCI services applications have been received from two hospitals: Carroll Hospital Center, and MedStar Union Memorial Hospital.

Long-Term Care Policy and Planning – Vacant

FY 2022 Home Health Agency Survey:

The FY2022 Home Health Survey concluded on April 26, 2024. Ninety-one percent of the survey responses have been accepted and staff are working with the remaining providers to provide technical assistance, as needed, during the collection period to obtain full compliance.

Certificate of Need– Jeanne-Marie Gawel

Exemptions Withdrawn

CommuniCare Health Services – (Montgomery County.) – Docket No. 24-16-EX018

CommuniCare Health Services is affiliated with Bel Pre Healthcare Center (Bel Pre), a 92-bed comprehensive care facility (CCF) in Silver Spring, Maryland in Montgomery County, and Kensington Healthcare Center (Kensington), a 140 bed CCF in Kensington, Maryland in Montgomery County. CommuniCare requested an Exemption from CON to relocate 34 CCF beds from Kensington to Bel Pre, resulting in 106 beds at Kensington and 126 beds at the relocated Bel Pre.

CON Letters of Intent

SurgCenter at National Harbor, LLC d/b/a Harborside Surgery (Prince George’s County)

Harborside operates in its current location as an ASC-2, with two operating rooms and three procedure rooms. Harborside seeks to operate an Ambulatory Surgical Facility (ASF) with three total operating rooms and two procedure rooms. The submission date for the Certificate of Need application is **June 7, 2024**.

Pre-Application Conference

SurgCenter at National Harbor, LLC d/b/a Harborside Surgery (Prince George’s County)

April 17, 2024

Request for Post-Approval Project Change/Exemption Filed

University of MD Medical Center/Cancer Center (19-24-2438)

UMMC is requesting a project change to increase the capital costs associated with the project, to make changes in the physical plant design, and to remove one of the Conditions on the approved project based on the changes to the physical plant design. On December 29, 2023, UMMC and the James Lawrence Kernan Hospital, Inc., d/b/a University of Maryland Rehabilitation and Orthopaedic Institute (UMROI) filed a Request for Exemption from Certificate of Need Review to Merge and Consolidate Portions of University of Maryland Rehabilitation and Orthopaedic Institute. Pursuant to the CON Exemption Request, UMMC and UMROI seek approval for the transfer of 58 of UMROI’s current 164 licensed beds to UMMC.

As described in detail in the CON Exemption Request, to accommodate the relocated beds from UMROI, UMMC plans to add four floors of occupiable space to the top of the approved Cancer Center CON project, and to renovate certain existing space in UMMC’s North Hospital.

First Use Approval

Hygea Detox at Camp Meade, LLC (Baltimore County)

On September 21, 2023, Hygea Detox at Camp Meade, LLC was awarded a Certificate of Need to establish a 16 bed Track One Intermediate Care Facility for adults providing Level 3.7 Medically Monitored Intensive Inpatient and Level 3.7WM, Medically Monitored Intensive Inpatient Withdrawal Management (Detoxification) services. The 16 3.7/3.7WM beds are located at 817 S. Camp Meade Road, Linthicum Heights, in Anne Arundel County at the site of a previous ICF.

Determinations of Coverage

- **Ambulatory Surgery Centers**

Amber Meadow Surgery Center (Frederick County)

Acquisition of an ambulatory surgery center (ASC) to be located at 186 Thomas Johnson Drive, Suite 104 Frederick, Maryland 21702.

Metro DC Surgery Center, LLC (Prince George's County)

Change in the name of the ambulatory surgery center (ASC) that was formerly Metropolitan Access Center, LLC in the initial application for the Determination of Coverage. The ASC will now operate under the name Metro DC Surgery Center, LLC. All other information as provided in the submission of February 7, 2023, remains unchanged.

MedStar Shah Medical Group-Southern Maryland d/b/a MedStar Shah Medical Group Philip J. Bean Medical Center (St. Mary's County)

Addition of a third non-sterile procedure room to an existing ambulatory surgery center (ASC) located in the Philip J. Bean Medical Center on the second floor of 24035 Three Notch Road in Hollywood, Maryland.

Meritus Robinwood Surgery Center, LLC dba C.P. Choudari Surgical Center (Washington County)

Recently registered a trade name that now requires a revision in the determination of coverage. The new name is a shorter version of the original trade name, "Dr. C.P Choudari Surgical Center," with the title "Dr." removed.

Rockville Endoscopy Center, LLC (Montgomery County)

Establishment of an ambulatory surgery center (ASC). The name and address of the ASC where surgical services will be provided is Rockville Endoscopy Center, LLC 401 E Jefferson Street, Suite 106, Rockville, Maryland 20850.

Horizon Surgical Group, P.A. d/b/a Horizon Vascular Specialists ASC- 2 (Montgomery County)

In the original determination of coverage request, Horizon stated it planned to use both general and local anesthesia for endovascular procedures. Now, Horizon states that they only plan to use local anesthesia and has submitted a notice to the Commission. The proposed change in the type of anesthesia used does not require a new review and approval by the MHCC.

Advanced Surgery Center of Bethesda, LLC (Montgomery County)

Change of ownership for the above referenced ambulatory surgery center. The Advanced Surgery Center of Bethesda is located at 6430 Rockledge Drive, Suite 160 in Bethesda, Maryland, with one sterile operating room and one non-sterile procedure room (ASC-1). Pursuant to a Membership Interest Purchase Agreement, Surgical Specialty Center of Mid-Atlantic, LLC (SSCMA), will acquire 100% of the membership interest of the company from the existing owners to become the sole owner of the center effective May 1, 2024.

SurgCenter of the Potomac, LLC (Montgomery County)

Change in ownership for the SurgCenter of the Potomac. The facility is located at 6500 Rock Spring Drive, Suite 100 in Bethesda, Maryland. There will be an addition of nine new physician owners in this facility. The effective date for this change in ownership is May 1, 2024.

- **Other**

Holy Cross Health - (Montgomery County)

Requested a Determination of Non-Coverage of Certificate of Need (CON) letter for a dialysis unit in the hospital.

Baltimore Detox Center (Baltimore County)

Intends to move its twenty-four (24) bed Level III.7-WM, Medically Monitored Intensive Inpatient Withdrawal Management program at 1825 Woodlawn Drive (Woodlawn) to a new facility located within the same jurisdiction at 7131 Rutherford Road, Windsor MD 21244 (Rutherford). The Commission has considered the additional information and finds that the proposed relocation requires a Certificate of Need.

Cardiac Imaging (Maryland)

Potentially moving to MD; inquiring about the need for a CON for mobile imaging services.

- Waiver Beds

Coffman Nursing Home (Washington County)

Informed MHCC that it intends to expand its licensed bed capacity by using a waiver bed. Coffman is currently licensed for 59 comprehensive care beds, and the request is to increase that total by one additional comprehensive care bed.

<p style="text-align: center;"><i>CENTER FOR HEALTH INFORMATION TECHNOLOGY & INNOVATIVE CARE DELIVERY</i></p>
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Health Information Technology Division – Nikki Majewski, Division Chief

Telehealth Studies

Milliman continues to conduct analyses of health care spending and utilization patterns using data from the All Payer Claims Database (APCD). The analysis supports study requirements for two laws passed by the General Assembly in 2023: Chapter 382 (SB 534), *Preserve Telehealth Access Act of 2023* and Chapter 291 (HB 1148), *Behavioral Health Care – Treatment and Access (Behavioral Health Model for Maryland)*. The SB 534 study will evaluate differences in cost and clinical time and intensity for providers to deliver virtual and in-person services. The HB 1148 study will assess payment adequacy by benchmarking reimbursements by private payers and Maryland Medicaid to the Medicare Physician Fee Schedule. Reports are due to the General Assembly by December 1, 2024.

Prior Authorization Study

A request for proposals was released to identify a contractor to complete a study required by SB 791/HB 932, *Health Insurance – Utilization Review – Revisions (2024)*. The law requires payers and pharmacy benefits managers to establish and maintain an online process for prior authorizations by July 1, 2026. The study will include a review of prior authorization standards and programs that have been implemented or are being considered in other states. The contractor is required to conduct an analysis using data from the APCD to assess the financial impact of prior authorization on providers and develop estimates of potential savings resulting from the law. An award announcement is anticipated in May. Study findings and recommendations are due to the General Assembly by December 1, 2024.

Health Information Exchange (HIE) Regulations

Drafting is progressing on amendments to COMAR 10.25.18, *Health Information Exchanges: Privacy and Security of Protected Health Information* that support legislation passed by the General Assembly in 2021 and 2022 and select provisions in the Office of the National Coordinator for Health Information Technology Cures Act Final Rule. Amendments include requirements for: (1) CRISP to implement in a phased approach the

consumer consent management application required by Chapter 798 (HB 1375), *Health Information Exchanges – Electronic Health Information – Sharing and Disclosure* (2021); (2) electronic health networks (EHNs) to submit certain electronic administrative transactions to CRISP as required by Chapter 790 (HB 1022), *Public Health – State Designated Exchange – Clinical Information* (2021); and (3) dispenser reporting of noncontrolled prescription drug dispense information as required by Chapter 296 (HB 1127), *Public Health – State Designated Exchange – Health Data Utility* (2022). Draft amendments are anticipated to be released for informal public comment in May.

Legally Protected Health Information

Final amendments to COMAR 10.25.07, *Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses* and COMAR 10.25.18, *Health Information Exchanges: Privacy and Security of Protected Health Information* were submitted to the Division of State Documents. The regulations support implementation of Chapter 249 (HB 812), *Health – Reproductive Health Services – Protected Health Information and Insurance Requirements* (2023). The law requires EHNs and HIEs operating in the State to parse and restrict from disclosure legally protected health information. The final regulations are anticipated to be published in the May edition of the Maryland Register. Planning is underway for a stakeholder Town Hall regarding implementation of HB 812.

Features of HITRUST Certification

A Privacy and Security Town Hall was convened featuring HITRUST and elements of its comprehensive and certifiable Common Security Framework (CSF) for risk management and regulatory compliance. The CSF addresses federal and state regulations and incorporates a risk-based approach using specific criteria to assess the protection of confidentiality, integrity, and availability of information systems.

Electronic Data Interchange

Data collection continues for the 2023 EDI Progress Report (report). COMAR 10.25.09, *Requirements for Payers to Designate Electronic Health Networks* requires payers with annual premiums of \$1 million or more to annually report census level data on electronic health care transactions by June 30th. Reports were distributed to 40 payers for completion. Data collection will continue through May.

Innovative Care Delivery Division – Melanie Cavaliere, Division Chief

Primary Care Investment Workgroup

Development activities have commenced for the Primary Care Investment Workgroup (Workgroup) 2024 Report. Chapter 667 (SB 734), *Maryland Health Care Commission – Primary Care Report and Workgroup* (2022) requires MHCC to complete an analysis of primary care investment over the immediately preceding year in relation to the total health care spending over the previous year, overall and by payer. Staff considered criteria for analyzing data from the APCD and primary care investment questions for payers with value-based care models. The Workgroup is targeted to convene in Q2 to contemplate changes in primary care investment strategies proposed in MHCC's 2023 Primary Care Investment Analysis and Reporting Plan to establish alignment with the Advancing All-Payer Health Equity Approaches and Development (AHEAD) Model. An application for AHEAD was submitted to the Centers for Medicare & Medicaid Services (CMS) in March by the Maryland Department of Health.

Practice Transformation Grant Activities

Twenty-seven practices (207 providers at 56 sites) in the Advancing Practice Transformation (APT) in Ambulatory Practices Program continue transformation training and completing program milestones. The APT contains 11 milestones, practice milestones are determined during the assessment process. In July 2021, MedChi, The Maryland State Medical Society Care Transformation Organization was competitively awarded an MHCC grant. The grant is based on the CMS Transforming Clinical Practice Initiative modules. The

milestones help practices shift their focus from volume-based services to delivering high-quality and cost-effective care in value-based care models.

Learning Network

Planning is advancing for three learning events anticipated to occur through Q4. The first event will occur in June and feature a subject matter expert and two practices to discuss collaborative mental health care. Aims for the *Mental Health Collaborative Care Summit, Navigating Key Tasks and Roles* include: (1) identify treatment approaches in a mental health collaborative care model; (2) recognize approaches for crafting an effective treatment strategy within a collaborative mental health care framework; and (3) learn techniques for defining the roles of primary care and specialists as part of a mental health collaborative care team. Participants in learning network events are eligible to receive continuing education credit.

CENTER FOR QUALITY MEASUREMENT AND REPORTING

The Maryland Quality Reporting (MQR) Website

The Maryland Quality Reporting (MQR) website

MQR Website Updates

Staff continue to work with Advanta Government Services (AGS), the website contractor, to update the [Maryland Quality Reporting](#) consumer site. Additional enhancements and updated features are underway and routine updates and maintenance are ongoing. Staff continue to respond to consumer inquiries and requests for printed material received via the quality reports email.

MQR Website Traffic

Staff monitors traffic to the consumer site using Google Analytics software. Website traffic was higher in April (1,305 users) compared to March (1,202 users). The most frequently viewed topics on the MQR site include assisted living, nursing homes, the long-term care planning toolkit, and hospitals. Traffic to the site is presented graphically under the Executive Direction section of this update.

MQR Website Promotion

There were approximately 80 social media posts in April. Topics included World Immunization Week, National Minority Health Month, Black Maternal Health Week, National Healthcare Decisions Day, and general promotional posts for the MQR website. These topics generally coincide with the U.S. Department of Health and Human Services National Health Observances or other important health related events and are designed to link readers back to the MQR website.

CQMR in the Community

CQMR Staff had a few busy weekends in April! Staff sponsored a table at the Project Bridges Event - Unity Amplified (4/13) as well as the New Hope Blood Donation and Health Fair event (4/6). These community events provide a unique opportunity to not only promote and discuss the quality website with community members, but also share with and learn from other organizations committed to improving the health status of Maryland residents.

Hospital Quality Initiatives – Courtney Carta

HB1051 Maternal Health – Assessment, Referrals, and Reporting

Under HB 1051 the Health Secretary, in collaboration with the MHCC, must develop a Maryland report card for birthing facilities (hospitals and freestanding birthing centers) and collect the necessary information to complete an annual report card for each birthing facility in the state. Staff are working closely with Delegate Jennifer White Holland, MDH and other stakeholders to support this effort. The hospital component of our *Quality Reporting* consumer website has been offered to serve as the platform for the proposed report card. Staff have had initial conversations with MDH to begin work on this initiative.

Long Term Care and Health Plan Quality Initiatives—Stacy Howes

Nursing Home Family Experience of Care Survey

Data collection and data analysis has concluded for the 2023 year. The response rate was 39.5% which is significantly higher than last year's rate and on par with rates in years prior to 2022. All facilities will receive full reports of their performance by the end of April, and the data, full facility reports, and the statewide report will be posted on the Quality Reporting site by the end of May.

Long Term Care Healthcare Worker Influenza Vaccination Surveys

Healthcare Worker influenza vaccination surveys are underway for nursing homes, hospice, home health agencies and assisted living facilities for the 2023-24 flu season. Agencies have until May 15 to report data, and rates will be reported publicly and to the Commission.

Assisted living, home health and hospice agencies continue to report data directly to the Commission. Nursing homes are reporting data via the National Healthcare Safety Network (NHSN) survey. Staff continue to provide resources and support to facilities with their reporting requirements. Data is expected to be publicly available in July 2024.

Health Plan Quality Initiatives

Staff are working with the contractor to identify areas of additional investigation to support the Commission's strategic priority of advancing health equity. Staff are preparing for data collection for the 2023 measurement year.

Outpatient Quality Initiative—Mariama Simmons

Freestanding Ambulatory Surgery Facility Survey

The annual Freestanding Ambulatory Surgery Facility (FASF) Survey submission deadline for calendar year 2022 has closed and staff are finalizing preparation of the data for public reporting. Staff are reviewing, updating, and modifying the survey questions and web application to begin collecting 2023's annual data by the Summer.

Adult Medical Day Care Program Survey

Staff implemented a new, streamlined data collection survey for Adult Medical Day Care (AMDC) programs in Maryland. The AMDC survey period closed in February, staff cleaned and finalized the data. Staff worked with the contractor that hosts the Maryland Quality Reporting consumer website to update the website with the new data. The contractor is making the last final updates information has been posted to the validation website.