

MEMORANDUM

TO: Commissioners

FROM: Ewurama Shaw-Taylor
Chief, Certificate of Need

RE: Foundations Inpatient, LLC
Certificate of Need to establish a Track One 40-bed
Intermediate Care Facility in Windsor Mill, Baltimore County
Docket No. 24-03-2471

DATE: June 12, 2025

Enclosed is the staff report and recommendation for a Certificate of Need (CON) application filed by Foundations Inpatient, LLC, to establish a 40-bed Track One Intermediate Care Facility (ICF) for adults, providing American Society of Addiction Medicine (ASAM) Level 3.7 Medically Managed Residential services. The proposed Level 3.7 ICF would be located at 7131 Rutherford Road, in Windsor Mill, Baltimore County.

The ICF will be housed at the applicant's current ASAM Level 3.5 facility, a 36,014 square foot (SF) building with 21 quad (four-person) patient rooms. The building has 11 quad rooms for ASAM Level 3.5 patients and will contain 10 quad rooms for ASAM Level 3.7 patients. The building is divided into a male wing with 13 total resident rooms and a female wing with eight total resident rooms. The total estimated cost for the project is \$753,348, which includes \$150,000 in renovations, \$20,000 in fixed equipment, \$30,000 in marketing expenses, \$60,000 in consulting/legal/licensing expenses, and \$493,348 in start-up costs. The applicant will fund the project with cash.

Maryland Health Care Commission staff analyzed the proposed project's compliance with the applicable State Health Plan criteria and standards in COMAR 10.24.14 and recommends that the project be APPROVED with the following conditions:

1. Foundations Inpatient, LLC shall document the provision of a minimum of 15 percent of patient days to indigent and gray area patients, as defined at COMAR 10.24.14.08B(9) and (11), by submitting annual reports auditing its total days and the provision of days to indigent and gray area patients as a percentage of total days. Such audit reports shall be submitted to the Commission each July 1st following the issuance of First Use Approval and continuing for five years thereafter. [COMAR 10.24.14.05D(1)(c)];
2. Foundations Inpatient, LLC shall provide to the Commission a final document outlining the estimated costs for services and the range and types of services that will

be posted at registration areas and available upon request to prospective patients prior to First Use Approval. [COMAR 10.24.14.05E];

3. Foundations Inpatient, LLC must receive **preliminary** accreditation for the Level 3.7 services it will provide, including WM and post-WM treatment programming, by an accrediting body approved by the Maryland Department of Health prior to First Use Approval by the Commission. [COMAR 10.24.14.05H];
4. Foundations Inpatient, LLC shall notify the Commission and the Behavioral Health Administration, in writing, within 15 days after it receives notice that its accreditation has been revoked or suspended **for reasons related to health or safety** or should it lose its State license. If its accreditation has been revoked or suspended or it loses its State license, Foundations Inpatient, LLC shall cease operation until the Behavioral Health Administration notifies the Commission that the deficiencies have been corrected. [COMAR 10.24.14.05H];
5. Foundations Inpatient, LLC shall document referral agreements, prior to First Use Approval by the Commission, in the form of letters of agreement or acknowledgement from acute care hospitals, local community mental health centers, Baltimore County's mental health and alcohol and drug abuse authorities, Behavioral Health Administration, and Baltimore County agencies that provide prevention, education, driving-while-intoxicated programs, and family counseling. [COMAR 10.24.14.05J]. The referral agreements must indicate referral of indigent or gray area populations to Foundations Inpatient, LLC. [COMAR 10.24.14.05K];
6. If Foundations Inpatient, LLC seeks to add additional intermediate care beds to its facility, it shall provide the Commission with evidence that it has appropriate staffing levels and bed and bathroom configurations that afford patient privacy and safety; and
7. Foundations Inpatient, LLC shall provide an annual report that includes patient demographics for all patients, program completion rates, and the percentage of patients that: (1) were underhoused upon admission and connected to housing resources; (2) were underinsured upon admission and assisted with applying for insurance; and, (3) received a warm hand-off to lower levels of care. The reports shall be submitted to the Commission each July 1st following the issuance of First Use Approval and continuing for five years thereafter.

cc: Darci Smith, Gordon Feinblatt LLC
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