



August 19, 2024

VIA Email

Howard L. Sollins, Esquire
Baker Donnelson
100 Light Street
Baltimore, Maryland, 21202

Re: SurgCenter at National Harbor, LLC dba
Harborside Surgery Center
Application for Certificate of Need to Convert a
Procedure Room to an Operating Room

Dear Mr. Sollins:

Maryland Health Care Commission (MHCC or Commission) staff has reviewed the above- referenced Certificate of Need (CON) application, and the initial response. Please provide additional explanation corresponding to the previously asked questions.

1. Are the surgeons of the total nineteen listed on p. 17 of your response also members of the Anderson Orthopaedic practice?
2. Re: Question #6A At <https://harborsidesurgcenter.com/for-patients/>, the Harborside Surgical Center website does not provide any information regarding “Information Regarding Charges” or “Charity Care and Financial Assistance.” When will this information and these links be live on the website?
3. Re: Question #6B Explain why Harborside cannot provide a copy of its current patient brochure and will only have one available prior to the applicant’s request for First Use. Please provide a copy of the patient brochure currently distributed.
4. Re: Question 17 The Projected *Total Cases in ORs (2025-2028)* under TABLE 2: STATISTICAL PROJECTIONS - PROPOSED PROJECT (231, 531, 814, 888 respectively, on page 60) are inconsistent with Total Cases in ORs under TABLE 1: STATISTICAL PROJECTIONS - ENTIRE FACILITY (2376, 2676, 2959 and 3032 respectively). However, the values under Total Cases in Table 7 Operating Room Capacity and Needs Assessment (COMAR 10.24.11.06) are consistent and tie with projections under Table 1.

Please reconcile these numbers and explain any inconsistencies.

5. Re: Question 17 Total Surgical Minutes in ORs and Total Minutes in PRs stated for 2022 under Table 1 do not match the Total OR hours and Total PR hours submitted in the 2022 FASF survey (https://mhcc.maryland.gov/public_use_files/amsurgdownload.html).

Table 1 in CON adds up to $99237+62026 = 161,353$ versus the ones in the FASF 2022 file which works out to be $(1349*60) + (1289*60) = 158,280$. Please reconcile these numbers and explain any inconsistencies.

6. Re: Question 23 The "Current Year Total Cost of Workforce" is stated at \$3,820,416 and the "Projected Entire Facility Through Last Year" is stated at \$4,584,650 in Table L (page 248, application), which does not match with numbers stated under "Salaries, Wages, and Professional Fees" (including fringe benefits) + "Contractual Services" under 'TABLE 3: REVENUES AND EXPENSES - ENTIRE FACILITY (including proposed project)' (page 65, application) for the year 2024 ($\$4,595,194.9 + \$1,083,722.17$) and 2028 ($\$6,198,313.00 + \$1,420,565.28$).

The same is the case with the "Projected Year Total Cost" for the year 2025. It is stated as \$764,234.00 in Table L, which does not tie with "Salaries, Wages, and Professional Fees" (including fringe benefits) + "Contractual Services" under TABLE 4: REVENUES AND EXPENSES - PROPOSED PROJECT (page 68) for the year 2025 ($\$621,457.95 + \$72,200$).

Please explain the variances in these two cases.

7. Re: Question #25 Please provide more detail regarding Harborside's efforts at outreach with the Prince George's Department of Health to the residents in this jurisdiction in an effort to improve access of surgical services offered at Harborside to residents of the county.

Please submit four copies of the responses to the above questions and the requests for additional information within ten working days of receipt. Also submit the response electronically, in both Word and PDF format, to our CON mailbox at mhcc.confilings@maryland.gov If additional time is needed to prepare a response, please let me know at your earliest convenience.

As with the request itself, all information supplementing the request must be signed by



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person(s) available for cross-examination on the facts set forth in the supplementary information, who shall sign a statement as follows: "I hereby declare and affirm under the penalties of perjury that the facts stated in this application and its attachments are true and correct to the best of my knowledge, information, and belief."

Should you have any questions regarding this matter, please contact me at (410) 764-5982.

Sincerely,



Eric Baker
Eric N. Baker
Program Manager

cc: Jeanne Marie Gawel, Acting CON Chief
Bill Chan, Program Manager
Deanna Dunn, MHCC
Wynee Hawk, Director Health Facilities Planning and Development
Nilesh Kalyanaraman, Deputy Secretary for Public Health Services
Caitin Tepe, AAG
Alexa Bertinelli, AAG
Mariama Simmons, Chief Outpatient Quality Initiatives
Dr. Mathew Levy, Health Officer, Prince George's County
Michel Briggs, Office of Health Care Quality
Oksana Likhova, Office of Health Care Quality

