

August 16, 2021

Ms. Eileen Fleck  
Chief, Acute Care Policy and Planning  
Maryland Health Care Commission  
4160 Patterson Avenue  
Baltimore, MD 21215  
Eileen.Fleck@maryland.gov

**Re: Request for Formal Public Comment, Draft of State Health Plan for Facilities and Services: General Surgical Services, COMAR 10.24.11**

Dear Ms. Fleck,

Thank you for the opportunity to comment on the draft of the State Health Plan for Facilities and Services: General Surgical Services, COMAR 10.24.11. Johns Hopkins Health System (“JHHS”) seeks to comment on 10.24.11.05A(1)(b) and 10.24.11.05A(1)(c), copied below:

(1) Information Regarding Charges and Network Participation.

(b) Each ambulatory surgery center, ambulatory surgical facility, and general hospital shall provide to the public, upon inquiry or as required by applicable regulations, the names of the health carrier networks in which it currently participates.

(c) Each ambulatory surgery center, ambulatory surgical facility, and general hospital shall provide to the public, upon inquiry, the names of the health carrier networks in which each surgeon and other health care practitioner that provides services at the facility currently participates.

As staff notes in its May 20, 2021 memo, staff added Standard (1)(b) and (1)(c) after it posted the draft General Surgical Services Chapter for Informal public comment. There were no prior Network Participation Standards in this Chapter. Therefore, this is the public’s first opportunity to comment.

JHHS believes Standard (1)(b), which asks that a facility maintain a facility-level list of network participation, is reasonable. JHHS believes Standard (1)(c), which asks that a facility maintain a provider-level list of network participation, is not reasonable. As ASCs continue to increase their capacity, the number of providers participating within ASCs continues to grow. For centers with

many providers, which often include providers who are independent, or members of small provider groups, Standard (1)(c) can become excessively burdensome. JHHS requests that staff keep 10.24.11.05A(1)(b) as is, and that staff remove 10.24.11.05A(1)(c).

Sincerely,

Spencer Wildonger  
Director of Health Planning  
Johns Hopkins Health System