

**MARYLAND HEALTH CARE COMMISSION**

***UPDATE OF ACTIVITIES***

**July 2023**

***EXECUTIVE DIRECTION***

***Government Relations and Special Project – Tracey DeShields***

**State Policy Update**

Government Relations is working on planning the scope of the work to be done regarding the legislative initiatives for which we are responsible. Currently, we are focused on pulling together the membership of the Commission on Trauma Funding. Letters were sent to each trauma center/health system requesting names of nominees to the Commission on Trauma Funding. The names have been submitted to the Secretary of MDH for appointment.

We are working on the mental health workforce assessment. We are at the beginning focusing on the workplan, establishing an informal workgroup, and drafting an RFP for a contractor to do the actual assessment. In addition, we are monitoring the other legislative interim work by the Centers.

**MHCC-related news coverage: selected articles and commentary**

**Health Insurance**

Saunders, H., “*CMS approves Maryland's State Innovation Waiver extension request*,” July 3, 2023, State of Reform

<https://stateofreform.com/featured/2023/07/cms-approves-marylands-state-innovation-waiver-extension-request/>

**Behavioral Health**

Ford, W. J., “*Breaking down the Blueprint: The challenges school districts face in meeting students’ behavioral health needs*,” July 4, 2023, Maryland Matters

<https://www.marylandmatters.org/2023/07/04/breaking-down-the-blueprint-the-challenges-school-districts-face-in-meeting-students-behavioral-health-needs/>

**Social Determinants of Health**

Saunders, H., “*Maryland health leaders discuss initiatives aiming to address social determinants of health*,” July 3, 2023, State of Reform

<https://stateofreform.com/featured/2023/07/maryland-health-leaders-discuss-initiatives-aiming-to-address-social-determinants-of-health/>

**MDPCP OR Maryland Primary Care Program**

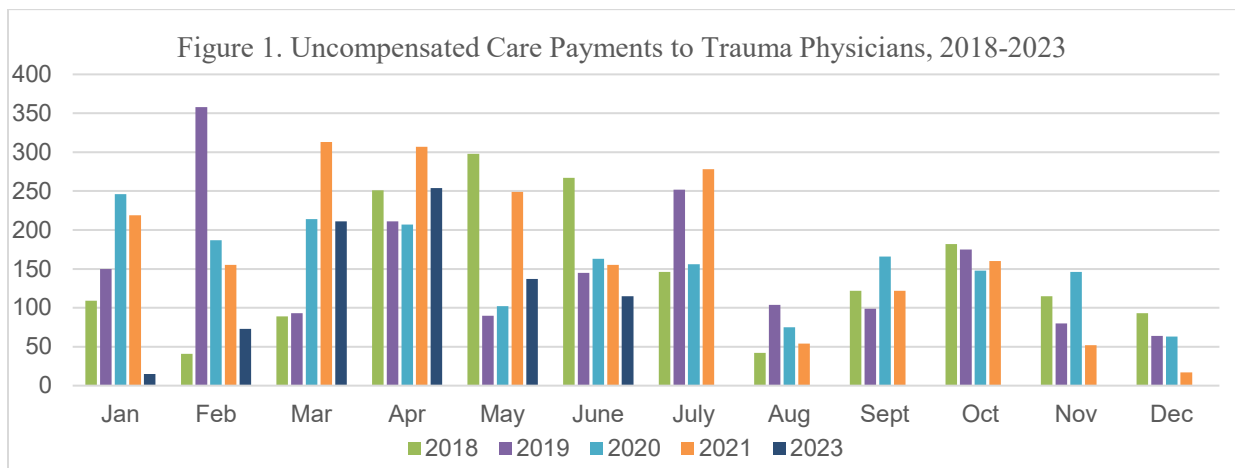
Press Release, Governor Wes Moore Announces New Medicaid Benefits to Enhance Health Care Access and Support Services for Marylanders, July 3, 2023, Maryland Governor’s Office

<https://health.maryland.gov/newsroom/Pages/GOV-RELEASE-Governor-Wes-Moore-Announces-New-Medicaid-Benefits-to-Enhance-Health-Care-Access-and-Support-Services-for-MD.aspx>

**Maryland Trauma Physician Services Fund**

**Uncompensated Care Processing**

Trustmark Health Benefits, the third-party administrator (TPA) for the Trauma Fund, processed \$115,174.53 uncompensated care claims through June 2023.



**MHCC Website:** The MHCC website (<https://MHCC.maryland.gov>) had 151 users in the month of June 2023.

**Wear The Cost**

In June 2023, 260 users visited the site.

**Maryland Quality Reporting**

The Maryland Quality Reporting had 2,166 users, 2,749 sessions, and 4,017 pageviews in June. The average session duration was 1 minute and 22 seconds. Website activity decreased for nearly all metrics except session duration and bounce rate. Although there was a significant decrease this was expected, given the large number of users that originated from a single location outside of Maryland last month.

The site received the most website referrals from MHCC’s homepage (50.8%). The website also had referrals from Maryland 211, GovDelivery, Maryland Attorney General, Maryland State Archives, A Place for Mom, Medicare, and St. Josephs.

Facebook remains the primary social media referral source, accounting for 100% of all social referrals. Notably there was an 85% decrease in Facebook sessions from last month. However, the site did see 29 users from a Nextdoor post and users spent an average of 54 seconds on the Adult Medical Day Care Suggestion page.

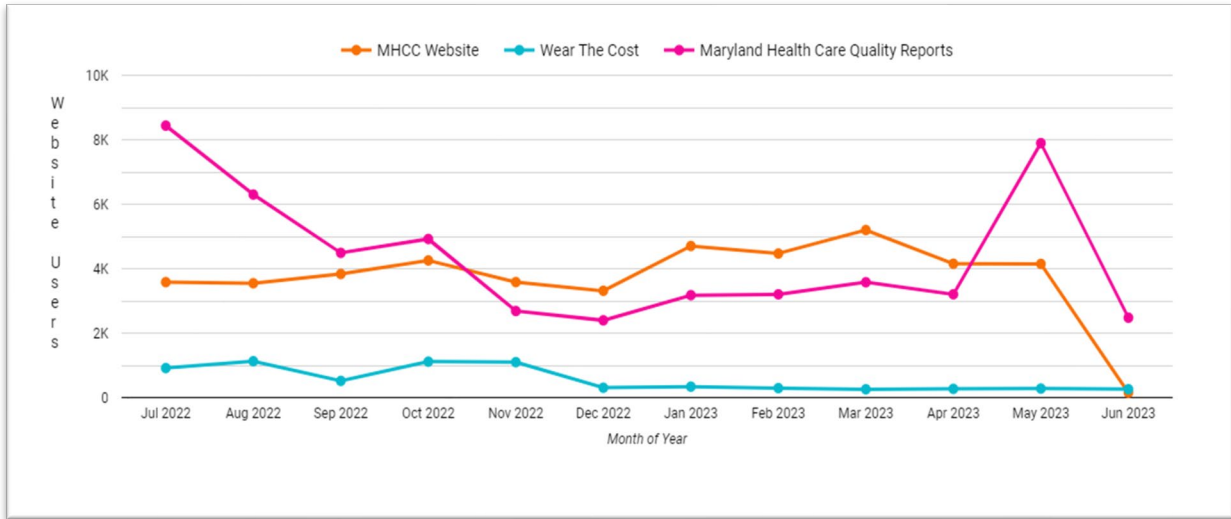


Figure 2 shows the number of website users over a 12-month period for each of the three websites maintained by Commission staff. Specific information about each website is listed above.

***CENTER FOR ANALYSIS AND INFORMATION SYSTEMS***

***Mahlet Konjit-Solomon ‘Mahi’***  
***APCD Public Reporting and Data Release Division***

**Wear The Cost**

**Update: Following several rounds of data validation, the data extract generated by Onpoint successfully met the criteria in testing. We are now advancing to the phase of executing the grouper run.**

Wear the Cost is a consumer-centric website that provides price transparency information on elective surgeries. The website was launched in 2017 and has undergone four successful releases. The Maryland Health Care Commission (MHCC) has been in the process of releasing the fifth cycle of data when faced with contractual issues that took over a year to resolve.

**Website Update**

The website is tentatively scheduled to be updated in October or November of this year, with the addition of the new data. The website will continue to provide consumers with price and quality information on elective surgeries.

**Website Communication**

Web traffic for the month of June was 198, slightly lower than the prior month. Nevertheless, it's critical to recognize that strategic communication activities have been deliberately reduced since there is currently no additional data to update on the website until October/November, 2023.

## MCDB Data Release

### **Current Applications**

The Executive Director has accepted the recommendation of the DRAC and has approved two applications. Both applicants have completed the data fee payment, and the Data Use Agreement has been executed. The applicants and the corresponding project titles are:

<b>Applicant</b>	<b>Project Title</b>	<b>Fees</b>	<b>Status</b>
Hadi Kharrazi, Center for Population Health IT, Johns Hopkins Bloomberg School of Public Health	<a href="#"><u>Advancing Maryland's Statewide Suicide Data Warehouse to Improve Individual and Population-level Mortality Prediction and Prevention</u></a>	Application Fee \$200 Data Fee \$96,000	Commercial data portion of the request to be delivered on 7/21
Sara Gross, JD, Baltimore City Law Department	<a href="#"><u>Assessing the Extent of Opioid Epidemic in Baltimore City</u></a>	Application Fee \$200 Data Fee \$162,000	Complete dataset to be delivered on July 6 <sup>th</sup> .

### **Special Projects – Janet Ennis**

#### **Project Management Consulting Services**

A contract extension with the current PMO contractor, Freedman Healthcare, LLC, was approved by the Board of Public Works (BPW) on June 7, 2023, for an additional \$160,000 for six more months. Meanwhile, staff drafted a new multi-year Request for Proposals (RFP) to contract with a PMO to fulfill organization-wide support services related to ongoing APCD expansion and enhancements; implementing and analyzing a non-claim-based payment initiative; implementing the primary care investment initiative; and implementing reporting efforts on health care cost and utilization data, and other report writing. The draft RFP was approved through the Office of State Procurement's Procurement Review Group process last week and will now be sent to the Department of General Services for their approval for submission.

#### **Required Health Insurance Services (Mandates): Studies**

Pursuant to Insurance Article §15-1501, MHCC must assess the social, medical, and financial impact of a proposed mandated health insurance service or coverage that fails to pass during the preceding legislative session or as requested by a Legislative Committee or Legislator. This year, MHCC has been requested to conduct studies related to the following bills:

- (1) **SB75: Coverage Requirements for the Treatment of Alopecia Areata** for an enrollee or insured whose hair loss results from alopecia areata. This is a modification to a current mandate (§15-836) whereby coverage of up to \$350 for one hair prosthesis must be covered when prescribed by the attending oncologist for hair loss resulting from chemotherapy or radiation treatment for cancer. SB75 also would have required coverage for alopecia areata if prescribed by the attending physician. This report is due by December 31, 2023.

- (2) SB108: **Annual Behavioral Health Wellness Visits – Coverage and Reimbursement** provided at the same rate as an annual wellness visit for somatic health. This report is due by December 31, 2023.
- (3) SB184/HB376: **Health Insurance – Diagnostic and Supplemental Examinations and Biopsies for Breast Cancer – Cost-Sharing**: This bill passed and becomes effective on January 1, 2024 whereby carriers may not impose any cost-sharing requirements on coverage for diagnostic breast examinations or supplemental breast examinations. Although this bill passed, MHCC has been requested to study and report on the financial impact of eliminating health insurance cost-sharing for diagnostic image-guided biopsies for breast cancer. This MHCC study is due on or before October 1, 2023.
- (4) **Elimination of cost sharing for obstetric care(2022 legislative session HB 937)** : as requested by the Chair of the Health and Government Operations Committee (HGO). This fiscal assessment is due on or before December 31, 2023.

Like last year’s process, MHCC staff is drafting small procurements to contract with various actuarial consulting firms to conduct each analysis and draft the required reports.

Pursuant to Insurance Article § 15-1502, Annotated Code of Maryland, every four years, MHCC is required to conduct an analysis on each existing mandated health insurance service in Maryland, including a comparison of Maryland’s mandates to those in Delaware, Pennsylvania, Virginia, and the District of Columbia. This four-year comprehensive cost and comparison report is due by January 1, 2024. MHCC staff prepared an RFP to contract for an actuarial consulting firm to prepare this study as well. That procurement was issued on June 28, 2023. Bids are due by COB on Friday, July 14, 2023.

***CENTER FOR HEALTH CARE FACILITIES PLANNING AND DEVELOPMENT***

***Acute Care Policy and Planning – Eileen Fleck***

**Annual Hospital Survey for Licensed Bed-Designations for Fiscal Year 2024**

MHCC staff sent an electronic survey to general hospitals in early June and received all required responses by the end of June. MHCC staff reviewed the responses submitted and approved the licensed bed designations for each hospital. The Maryland Department of Health’s Office of Health Care Quality signed the responses received and notified each hospital of the approval of its bed designations for FY 2024 by July 1, as required by Health General §19-307.2.

The survey also requests information on certain service lines subject to health planning oversight and CON review, including obstetrics, emergency services, psychiatric services, special non-psychiatric services, and surgical services. In some cases, utilization information is requested for one-year period or on specific dates. MHCC staff requested that hospitals complete this survey by July 7, 2023. Once all information has been collected, it will be compiled in tables and posted on MHCC’s web site.

**State Health Plan Chapter for Acute Care Hospital Services (COMAR 10.24.10):**

Staff received four informal comments on draft regulations COMAR 10.24.10. Comments were submitted by attorney, James C. Buck, the Institute for Justice, the Maryland Hospital Association, and the University of Maryland Medical System. Staff will review the comments and make corrections as needed and respond to the comments before asking the Commission to consider final approval of draft proposed regulations. Comments received will be posted on MHCC’s web site at the following link: [https://mhcc.maryland.gov/mhcc/pages/hcfs/hcfs\\_shp/hcfs\\_shp.aspx](https://mhcc.maryland.gov/mhcc/pages/hcfs/hcfs_shp/hcfs_shp.aspx)

**Long-Term Care Policy and Planning – Linda Cole**

**Palliative Care Services Workgroup:**

As required under HB378 (2022 session), MHCC staff convened a workgroup to address palliative care services statewide. The workgroup met five times between September 2022 and June 2023. “The Current Status of Palliative Care Services in Maryland” was presented at the June Commission meeting. The workgroup met on June 28<sup>th</sup> to review results from the statewide survey and to formulate recommendations. The Interim Report is in the process of being finalized and will be submitted to the General Assembly in July.

**FY 2022 Hospice Survey:**

The FY 2022 Maryland Hospice Survey launched on March 1, 2023. Part I of the Hospice Survey was due by May 1, 2023, and to date, all Part I surveys have been reviewed and accepted. Part II surveys were due by July 1, 2023. Staff are currently reviewing submitted Part II surveys for completeness.

**FY 2022 Long-Term Care Survey:**

The FY 2022 Maryland Long Term Care Survey for Comprehensive Care Facilities was due on June 14, 2023. By the due date, 225 facilities participated with a 100% acceptance rate. Acceptance letters were issued to all providers throughout the 30-day data collection period. The FY 2022 Long Term Care Survey for Chronic Hospitals and Assisted Living Facilities is due on July 14, 2023. On June 30, 2023, a 15- Day Reminder Notice was sent to all providers that had not yet submitted their survey. Staff provides technical support to providers during the data collection period.

**Certificate of Need (“CON”) – Jeanne-Marie Gawal, Acting Chief**

**CON’s Approved**

**Alpas Wellness-LaPlata – Docket No. 22-04-2462**

Establish a 36 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 services. The proposed Level 3.7/3.7WM ICF will operate as part of a 108-bed alcoholism and drug abuse, eating disorder, gambling, and sex addiction center in La Plata. The 36 3.7/3.7WM beds will be located on the first floor of a renovated three-story assisted living facility.

Approved Cost: The total project cost is \$42,637,500, with the costs attributed to the ICF totaling \$8,703,802.

**CON Applications Filed**

Meritus Medical Center – (Washington County) - Matter No. 23-21-2467

Conversion of the 20-bed Regional Infections Containment Unit (approved Emergency Certificate of Need during the COVID-19 State of Emergency EM-H20-21-002) to a 20-bed dedicated clinical observation unit.  
Proposed Cost: \$14,227,776

Hygea Detox at Camp Meade – Matter No. 23-02-2468

Establish a 16-bed adult detoxification Track One Alcoholism and Drug Abuse Intermediate Care Facility (ICF) at the site of the former Maryland House Detox facility, a 1.9029-acre site in Anne Arundel County, located at 817 S. Camp Meade Rd, Linthicum Heights, Maryland.  
Proposed Cost: \$136,781

**Exemption from CON Requests Filed**

Hospice of the Chesapeake, Inc., Hospice of Charles County, Inc, and Calvert Hospital Inc. - Docket No. 23-02-EX016

Hospice of the Chesapeake intends to merge with Hospice of Charles County and Calvert Hospice

**First Use Approval**

Dimensions Health Corporation d/b/a UM-Capital Region Health – (Prince George’s County) – Docket No. 18-16-EX002

Dimensions Health Corporation (Dimensions), d/b/a University of Maryland Capital Region Health (UM CRH), University of Maryland Laurel Medical Center (UM LMC) (formerly University of Maryland Laurel Regional Hospital (UM LRH), and University of Maryland Capital Region Medical Center (UM CRMC), to convert UM LRH to a freestanding medical facility (FMF) operating as UM LMC.  
Approved Cost: \$68,360,714

**Determinations of Coverage**

• **Ambulatory Surgery Centers**

Shady Grove Children’s Surgery Center, LLC – (Montgomery County)

Establishment of an ambulatory surgery center with two sterile operating rooms to be located at 15001 Shady Grove Road, Suite, 110, Rockville, Maryland. The proposed center will be limited to providing dental work under general anesthesia exclusively and no other types of procedures will be performed in this facility.

**Ownership Interest:**

Kyle Welch	40.0% (approximately)
Jeff Wheeler	40.0% (approximately)
Ephraim, Hyrum, & Thomas Olson	4.0%
Scott Dyer	2.0%
Ed Haber & Jamie Logan	1.0%
Matthew Abel	1.0%
Todd Wheeler	1.0%
Seth Haber	1.0%
Brittany & Robert Turley	1.0%
Walters Irrevocable Trust	1.0%

LeAnn Wheeler	1.0%
Raja Bobbili	<1.0%
Mike Field	<1.0%
Rory McDonald	<1.0%
Joseph Field	<1.0%
Camille Taylor	<1.0%
Jeremy Haber	<1.0%

Femi-Care Surgery Center, LLC – Baltimore County)

Relocation of an existing ambulatory surgery center. The surgery center which is located at 1212 York Road will relocate from Suite B1101 to A101 at the same address.

Maryland Plastic Surgery Center, LLC Aesthetic Institute – (Anne Arundel County)

Relocation of an existing ambulatory surgery center. The surgery center, which was located at 7704 Quarterfield Road, Suite E, Glen Burnie, will be relocated to 1520 Jabez Run Road, Millersville, Maryland.

MedStar Medical Group-Southern Maryland, LLC – (Charles County)

Addition of ophthalmological, oculoplastic, and podiatric procedures at the above referenced outpatient surgical center located at 10 St. Patrick’s Drive, Unit A1578, Waldorf, Maryland.

- **Acquisition/Change of Ownership**

P-B Health Home Care Agency, Inc. – License H1545

Transfer of ownership to Adoration Hospice Care Maryland, LLC (Adoration). This change will not result in any changes to health care services or jurisdictions served (Prince George’s County and Baltimore City).  
Purchase Price: \$10,024,715

Maryland Healthcare Services, Inc. d/b/a Revival Homecare Agency – License HH7047

Transfer of ownership to Adoration Home Health Care Maryland, LLC (Adoration). This change will not result in any changes to health care services or jurisdictions served (Prince George’s County and Montgomery County).  
Purchase Price: \$22,356,788

P-B Home Care Agency, Inc. – License HH7134

Acquisition by Adoration Home Health Care Maryland, LLC (Adoration). This change will not result in any changes to health care services or jurisdictions served (Baltimore County, Baltimore City, Howard County, Anne Arundel County).  
Purchase Price: \$6,490,680

Clearway Surgery Center of Westminster, LLC – (Carroll County)

Change in ownership of the existing facility located at 826 Washington Road, Suite 102, Westminster, Maryland.

New Ownership:

Kure Pain New Co, LLC	50.5%
Dr. Benjamin, D.O.	15%
Dr. Ruth, M.D.	15%
Dr. Garonzik, M.D.	9.75%
Dr. Conway, M.D.	9.75%

Purchase Price: Not Listed

MH Adelphi Operating, LLC d/b/a Hillhaven Nursing & Rehabilitation – (Prince George’s County)

Acquisition of the above-referenced comprehensive care facility (CCF) on July 1, 2023. Currently the operator and bed rights are owned by MH Adelphi Operating, LLC and will change to Hillhaven SNF Operator, LLC. Currently the real property is owned by MH Adelphi Holdings, LLC, MH Adelphi TIC II Owner, LLC, and MH Adelphi TIC III Owner, LLC. After the transaction, the real property will be owned by Hillhaven SNF Realty, LLC.

Purchase Price: \$26,250,000

University of Maryland Rehabilitation Institute of Southern Maryland, LLC – (Prince George’s County)

Proposed 50 percent acquisition of the ownership interest in Encompass Health Rehabilitation Hospital of Southern Maryland (Encompass Bowie) an acute care rehabilitation hospital. UM Rehab Southern Maryland is wholly owned by the University of Maryland Medical System. Encompass Bowie, which is located in Prince George’s County, is wholly owned by Encompass Health.

Purchase Price: Not Listed

- **Capital Projects**

Kennedy Krieger Institute/Kennedy Krieger Children’s Hospital – (Baltimore City)

Capital project proposed by Kennedy Krieger Institute/Kennedy Krieger Children’s Hospital (KKI) to be partially funded by a grant through the Maryland Hospital Association’s 2024 Hospital Bond Program. The proposal is for renovation, expansion, and upgrades to critical infrastructure of Kennedy Krieger’s outpatient clinical operations and mental health services. The proposed project will not change bed capacity or establish a new service.

Project Cost: \$2,500,000. KKI is requesting \$1.25 million from the Maryland Hospital Bond Project Program

Luminis Health Anne Arundel Medical Center – (Anne Arundel County)

Capital project proposed by Luminis Health Anne Arundel Medical Center (LHAAMC) to be partially funded by a grant from the Maryland Hospital Association’s 2024 Hospital Bond Program. LHAAMC seeks to renovate existing emergency department (ED) space to modernize, improve safety, and improve efficiencies within the treatment area for pediatric patients with a primary diagnosis of mental health. The project will take place within the existing hospital without any addition to the existing physical structure. This project will not add any new services or change bed or operating room capacity at LHAAMC.

Project Cost: \$2,987,000. LHAAMC is requesting \$1,400,000 from Maryland Hospital Bond Project Program

Luminis Health Doctors Community Medical Center – (Prince George’s County)

Capital project proposed by Luminis Health Doctors Community Medical Center (LHDCMC) to be partially funded by a grant from the Maryland Hospital Association’s 2024 Hospital Bond Program. LHDCMC seeks to renovate existing emergency department (ED) space to modernize and improve safety and improve efficiencies within the treatment rooms. The project will take place within the existing hospital without any addition to the existing physical structure and will not add any new services or change bed capacity at LHDCMC.

Project Cost: \$2,970,000. LHDCMC is requesting \$1,400,000 from Maryland Hospital Bond Project Program

Luminis Health J. Kent McNew Family Medical Center Adult Behavioral Health Project – (Anne Arundel County)

Capital project proposed by Luminis Health J. Kent McNew Family Medical Center (McNew FMC) to be partially funded by a grant through the Maryland Hospital Association’s 2024 Hospital Bond Program. The

proposed project seeks to add one bed to the adult inpatient mental health unit through the buildout of existing shell space.

Project Cost: \$470,000. McNew FMC is requesting \$235,000 from the Maryland Hospital Bond Project Program

Meritus Medical Center – (Washington County)

Capital project proposed by Meritus Health for Meritus Medical Center (MMC) to be partially funded by a grant from the Maryland Hospital Association’s 2024 Hospital Bond Program.

MMC seeks to renovate existing emergency department (ED) space to modernize, improve safety, and improve efficiencies. The proposed project will not add any new services or change bed or operating room capacity at MMC.

Project Cost: \$1,900,000. MMC is requesting \$950,000 from the Maryland Hospital Bond Project Program

Sheppard Pratt – (Baltimore County)

Capital project proposed by Sheppard Pratt to be partially funded by a grant through the Maryland Hospital Association’s 2024 Hospital Bond Program. The proposed project seeks to renovate outdated resident bathrooms at the Berkeley & Eleanor Mann Residential Treatment Center. The proposed project will not change bed capacity or establish a new service.

Project Cost: \$1,000,000. Sheppard Pratt is requesting \$500,000 from the Maryland Hospital Bond Project Program

UM-St. Joseph Medical Center – (Baltimore County)

Capital project proposed by University of Maryland St. Joseph Medical Center (SJMC) to be partially funded by a grant from the Maryland Hospital Association’s 2024 Hospital Bond Program. SJMC seeks to renovate space in its existing O’Dea Medical Arts Building to establish an outpatient cardiovascular diagnostic and care center. The proposed project will not add any new services or change bed or operating room capacity at SJMC.

Project Cost: \$4,300,000. SJMC is requesting \$1,400,000 from the Maryland Hospital Bond Project Program

Ascension St. Agnes – (Baltimore City)

Capital project proposed by Ascension Saint Agnes (ASA) to be partially funded by a grant from the Maryland Hospital Association’s 2024 Hospital Bond Program. ASA seeks to renovate and modernize its existing Labor and Delivery units in order enhance the experience of patients and clinicians by improving patient safety, patient satisfaction, and workflow. The proposed project will take not add any new services, change bed or operating room capacity at ASA.

Proposed Cost: \$35,000,000. St. Agnes is requesting \$1,400,000 from the Maryland Hospital Bond Project Program

- **Licensure**

- **Delicensure of Bed Capacity of a Health Care Facility**

Collington Episcopal Life Care Community – (Prince George’s County)

Temporary delicensure of all 44 CCF beds at the facility.

Larkin Chase Center – (Prince George’s County)

Extension of the previously approved temporary delicensure for the entire facility due to construction delays. Extension grated until 12/31/23.

Sacred Heart Home – (Prince George’s County)

Extension of the previously approved temporary delicensure for the entire 58 bed facility with the intention of an upcoming purchase of the beds to result in a letter of intent followed by a Certificate of Need (CON) application. This is in line with the Commission’s published schedule for CCFs, currently set at October 6, 2023

**Other**

Adventist HealthCare, Inc. d/b/a Fort Washington Medical Center – (Prince George’s County)

Permanent use of three of the 16 beds established on April 17, 2020, under an Emergency CON (ECON) during the COVID-19 pandemic. In accordance with the 2023 annual licensed bed recalculation, the three beds established under the ECON are now covered under FWMC’s current 31 licensed acute care hospital beds. FWMC has the physical bed capacity for 37 beds but has been using semi-private rooms in the main hospital building. FWMC will now take the opportunity to convert to all rooms to private patient rooms. The allocation will be 15 private MSGA beds in the main building and 16 MSGA beds in the modular buildings, six of which will be designated as Intensive Care Unit beds.

Mercy Medical Center, Inc. – (Baltimore City)

Permanent retention of 32 MSGA beds on the 17th floor of the Mary Catherine Bunting Building (Bunting) approved by an Emergency CON (ECON) during the COVID-19 pandemic. The ECON authorized the redistribution of 32 MSGA beds from the 11th floor of the hospital to the 17th floor of Bunting. The relocation of the beds required a 30,000 square foot build out of shell space to create surge capacity during the pandemic. Subsequently the 32 MSGA rooms once located on the 11th floor were redistributed to be used as an observation unit. Prior to the pandemic, Mercy Medical Center had a total licensed capacity of 183 beds including 147 MSGA, 32 Obstetrics, and four Pediatrics. The licensed bed capacity did not increase as a result of this project.

Adventist Health Care – White Oak Medical Center – (Montgomery County)

Permanent retention of 20 acute care hospital beds. On April 4, 2020, the Maryland Health Care Commission (Commission) issued an Emergency CON (ECON) in accordance with COMAR 10.24.01.20 during the COVID-19 pandemic state of emergency. The ECON authorized the establishment of 23 medical/surgical/gynecological/addictions (MSGA) beds. Ultimately, WOMC established 20 MSGA beds under that authorization and this request seeks to retain those beds. The basis for retaining the beds is twofold: the beds are now covered under the 2023 annual licensed acute hospital bed recalculation and the capital expenditure to establish the ECON beds did not exceed the hospital capital threshold requiring a CON.

Optimal Health Care – License HH7167

Opening of a branch office to serve the Eastern Shore (Cecil, Kent, Queen Anne’s, and Talbot Counties) for which it received a Certificate of Need Docket No. 18-R1-2426 on October 17, 2019. The branch office will be located at 6602 Church Hill Road, Suite 300, Chestertown, Maryland.

- **Waiver Beds**

DWI Services Inc. d/b/a Avenues Recovery Center of Maryland, LLC – Calvert County

Addition of 25 Residential High Intensive Level 3.7/3.7 withdrawal management beds to the existing 20 bed facility located at 125 Fairground Road, Prince Frederick, Maryland for a total of 45 beds.

**Pending Notices of Acquisition/Change of Ownership for Comprehensive Care Facilities (Nursing Homes)**

Promedica Skilled Nursing and Rehabilitation (Wheaton)

11901 Georgia Avenue, Wheaton, Maryland, 20902

Transaction: Acquisition of assets

*CURRENT*

Owner of the real property: HCP Maryland Properties, LLC, 11901 Georgia Avenue, Wheaton, MD

Owner of bed rights: HCP Maryland Properties, LLC

Operator: Manor Care of Wheaton MD LLC, dba Promedica Skilled Nursing and Rehabilitation (Wheaton)

*POST-TRANSACTION*

Owner of the real property: Unchanged

Owner of bed rights: Unchanged

Operator: Wheaton Operator LLC, dba Montcare at Wheaton

Purchase price: \$0

Nursing Home Beds: 94

Current Star Rating: 4

Promedica Skilled Nursing and Rehabilitation (Bethesda)

6530 Democracy Boulevard, Bethesda, Maryland, 20817

Transaction: Acquisition of assets

*CURRENT*

Owner of the real property: HCP Maryland Properties, LLC, 6530 Democracy Boulevard, Bethesda, MD

Owner of bed rights: HCP Maryland Properties, LLC

Operator: Manor Care of Bethesda MD LLC, dba Promedica Skilled Nursing and Rehabilitation (Bethesda)

*POST-TRANSACTION*

Owner of the real property: Unchanged

Owner of bed rights: Unchanged

Operator: Bethesda Operator LLC, dba Montcare at Bethesda

Purchase price: \$0

Nursing Home Beds: 110

Current Star Rating: 4

Promedica Skilled Nursing and Rehabilitation (Potomac)

1071 Potomac Tennis Lane, Potomac, Maryland, 20854

Transaction: Acquisition of assets

*CURRENT*

Owner of the real property: HCP Maryland Properties, LLC, 1071 Potomac Tennis Lane, Potomac, MD

Owner of bed rights: HCP Maryland Properties, LLC

Operator: Manor Care of Potomac MD LLC, dba Promedica Skilled Nursing and Rehabilitation (Potomac)

*POST-TRANSACTION*

Owner of the real property: Unchanged

Owner of bed rights: Unchanged

Operator: Potomac Operator LLC, dba Montcare at Potomac

Purchase price: \$0

Nursing Home Beds: 158

Current Star Rating: 5

Additional Information:

The parties acquiring operations of these facilities (Dov Green, Boruch Mermelstein and Nachum Zager) have achieved an average rating of 3.6 stars (composite scores above three stars are considered above

average) on the CMS Nursing Home Compare Five-Star Quality Rating System<sup>1</sup> at other affiliated nursing homes.

***CENTER FOR HEALTH INFORMATION TECHNOLOGY & INNOVATIVE CARE  
DELIVERY***

***Health Information Technology Division – Nikki Majewski, Division Chief***

**Interstate Telehealth Expansion Study**

Stakeholder feedback was incorporated in a draft recommendations report requested by the Health and Government Operations (HGO) Committee. In May 2022, the HGO Committee Chair tasked MHCC with convening a workgroup to address select questions pertaining to the expansion of interstate telehealth. The questions were informed, in part, by House Bill 670, *Maryland Health Care Commission – Study on Expansion of Interstate Telehealth*, which bill sponsors elected to withdraw during the 2022 session of the Maryland General Assembly. Additional stakeholder vetting is planned; the report is due to the HGO Committee by December 1, 2023.

**Noncontrolled Prescription Drugs Reporting**

Feedback from a dispenser roundtable is guiding development of the Noncontrolled Prescription Drugs Dispenser Data Submission Manual (manual). Chapter 296/House Bill 1127, *Public Health – State Designated Exchange – Health Data Utility* (2022) requires dispensers to report dispense information to CRISP for treatment and care coordination purposes. Key elements of the manual include reporting timeframes and frequency, electronic reporting specifications, and processes for reporting in the event of a technology failure. The manual will be posted on MHCC’s website and updated annually.

**Health IT Survey**

An analysis of responses to the *2023 Health Information Technology Survey* (survey) is progressing. Respondents consisted of 18 health systems with 43 acute care hospitals in the State. Survey questions spanned use of electronic health record (EHR) systems, health information exchange (HIE), telehealth, digital tools for social determinants of health, electronic advance directives, and cybersecurity. Findings will inform strategies aimed at promoting health IT use and best practices to address factors critical to improving prevention, treatment, and health outcomes.

**Urgent Care and Retail Health Clinics Environmental Scan**

Data collection is underway for the health IT questionnaire (questionnaire) that was distributed to 28 urgent care centers and one retail clinic with a combined 220 sites in Maryland. Questions center on use of EHRs, HIE, and telehealth in the delivery of urgent care and primary care services. Findings will be used to inform strategies aimed at optimizing health IT use in care delivery and coordinating care across the continuum. Data collection concludes at the end of August.

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<sup>1</sup> The rating scores were accessed on the CMS Nursing Home Compare website. The data had been last updated on June 28, 2023.

### **Advance Directives**

An advance directives public service announcement (PSA) was recorded by Kurt Schmoke, University of Baltimore president and former mayor of Baltimore City. The audio and video recording will be shared with radio and television outlets, professional associations, and consumer groups. Planning has commenced for a mental health advance directives promotional campaign in collaboration with the Behavioral Health Administration (BHA). Technical discussions are proceeding with BHA as it relates to behavioral health crisis providers accessing electronic advance directives via CRISP. Chapter 297/Senate Bill 154, *Public Health - Mental Health Advance Directives - Awareness and Statewide Database* (2023), requires BHA and MHCC to submit a report to the Maryland General Assembly by December 1, 2023.

### **Legislative Update Report**

A near final draft report was prepared that identifies ongoing revenue sources to fund requirements for expanding use of health IT in the State for legislation passed by the Maryland General Assembly in 2021 and 2022. Chapter 798, *Health Information Exchanges - Electronic Health Information - Sharing and Disclosure* (2021), requires CRISP to develop and maintain a consent management utility. Chapter 790/Chapter 791, and *Public Health - State Designated Exchange - Clinical Information* (2021), requires nursing homes, on request by the Maryland Department of Health, to electronically submit clinical information to CRISP, and requires electronic health networks to submit administrative health care transactions to CRISP. Chapter 296, *Public Health – State Designated Exchange – Health Data Utility* (2022) establishes an HDU operated by CRISP and requires dispensers to report dispense information on noncontrolled drugs to CRISP. Chapter 718, *Health Information Exchanges – Definition and Privacy Regulations* (2022) alters the definition of an HIE to align with federal policy. The report is due to the Maryland General Assembly by January 1, 2024.

### **HIE Privacy and Security Regulations**

A review of informal comments to COMAR 10.25.18, *Health Information Exchanges: Privacy and Security of Protected Health Information* (regulations) draft amendments is underway. Changes modernize and align the regulations with interoperability and information blocking provisions in the 21st Century Cures Act and the ONC Health IT Certification program final rule. A revised draft of the regulations is aimed for stakeholder review in September.

### **Electronic Data Interchange (EDI)**

A review of the 2022 EDI Progress Report submitted by 32 payers was completed. Payers with annual premiums of \$1 million or more must submit a report by June 30<sup>th</sup>, as required by COMAR 10.25.09, *Requirements for Payers to Designate Electronic Health Networks*. A summary of the findings is targeted for release in Q4 2023.

## ***Innovative Care Delivery Division – Melanie Cavaliere, Division Chief***

### **Primary Care Workgroup**

The Primary Care Workgroup (workgroup) convened to discuss key decision points related to voluntary or required targets; absolute improvement, relative improvement, or both; and reporting investments as a percent of total cost of care, or a per member per month amount. The workgroup also reviewed primary care investment strategies used by other states. Drafting is progressing on the Primary Care Analysis and Reporting Plan (plan). Chapter 667/Senate Bill 734, *Maryland Health Care Commission – Primary Care Report and Workgroup* (2022) requires MHCC to develop a plan in 2023 to annually report on ways to improve quality and access to primary care services. The plan is due to the Maryland General Assembly by December 1, 2023.

### **Practice Transformation Grant Activities**

Transformation training and assessment activities are nearing completion for approximately 28 practices in the *Advancing Practice Transformation in Ambulatory Practices (APT)* program 2021 cohort. Practices in the 2021 cohort conclude their transformation program in early July. The Centers for Medicare and Medicaid Services Transforming Clinical Practice Initiative practice transformation modules provide the foundation for the program. The CTO continues to assist about 13 practices in the 2022 cohort in transforming care delivery. The MHCC competitively awarded the CTO an APT grant in June 2021 and Round 2 funding in July 2022. The APT program concludes in June of 2024.

### **Learning Network**

Staff convened a webinar on whole-person health that focused on auditory health and overall wellbeing and best practices for coordinating care with audiologists. Planning is evolving for a dental cybersecurity symposium in collaboration with the Maryland State Dental Association at the October 2023 Chesapeake Dental Conference. The conference presentation will provide strategies to improve cybersecurity readiness. Staff are collaborating with the Maryland Chiropractic Association for a learning forum at their fall conference.

### **Value-Based Care Delivery - Consumer Awareness**

Drafting is proceeding on a Value-Based Care (VBC) delivery consumer education flyer (flyer). The flyer is intended to educate consumers on the impact of VBC on patients and providers and describe how multidisciplinary care teams can help patients become more engaged consumers of health care. VBC promotes a patient-centered approach to care and allows patients to engage more in their health management. In VBC models, providers are incentivized to make changes that improve care value. The flyer is planned for release in September.

## ***CENTER FOR QUALITY MEASUREMENT AND REPORTING***

### **The Maryland Quality Reporting (MQR) website**

#### **MQR Website Updates**

Staff continue to work with Advanta Government Services (AGS), the website contractor, to update the redesigned website. The most recent refresh includes updates to hospital quality measures and hospital price transparency. Assisted living facility deficiency reports have been updated with the most current information provided by OHCQ. Hospice family satisfaction and quality measures have been updated using the May 2023 CMS Care Compare data files. Results from the 2022 Nursing Home Experience of Care survey have been uploaded. Additional enhancements and updated features are underway and routine updates and maintenance are ongoing. Staff continue to respond to consumer inquiries received via the quality reports email.

#### **MQR Website Traffic**

Staff monitors traffic to the consumer site using Google Analytics software. Website traffic was lower in June (2,166) compared to May (7,492 users). Though there appeared to be a significant decrease in users, a large portion of May users appeared to come from a bot. June website utilization is consistent with historical use. The most frequently viewed topics on the MQR site include assisted living, nursing homes, and hospital price transparency. 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 May. Topics included Older Americans Month, National Nurses Week, National Women’s Health Week, 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. Staff also promoted the MQR website using additional social media platforms such as LinkedIn and NextDoor.

Staff continue to give website demonstrations to various industry stakeholder groups to increase awareness of the website. Staff recently presented at the annual regulatory conference hosted by the Maryland Health Information Management Association (MdHIMA) and the Maryland Association of Clinical Documentation Integrity Specialists (MdACDIS). There were approximately 100 meeting participants made up of coders and documentation specialists. The focus of this year’s meeting was Social Determinants of Health; staff presented an overview of the website and various initiatives the Center is working on related to improving health equity in Maryland.

### ***Hospital Quality Initiatives – Courtney Carta***

#### **Healthcare Associated Infections**

All Maryland acute care hospitals are required to report certain healthcare associated infections to the CDC’s National Healthcare Safety Network (NHSN). MHCC publicly reports this data annually on the MQR consumer website. Required reporting includes the following infection types: central line associated bloodstream infections (CLABSI), catheter associated urinary tract infections, Clostridium difficile (c. diff), and Methicillin-Resistant Staphylococcus Aureus (MRSA), and surgical site infections (SSI). The validation process is nearing completion, and the results will be posted on the MQR website later this month.

### ***Long Term Care and Health Plan Quality Initiatives—Stacy Howes***

#### **Nursing Home Family Experience of Care Survey**

The Board of Public Works approved the new contract with Market Decisions research to conduct the survey from 2023 through 2029. Staff are beginning the initial steps for the 2023 survey which will officially kick off in July.

#### **Health Care Worker Influenza Vaccination Survey (Nursing Homes, Assisted Living, Home Health, and Hospice)**

Data for home health and hospice have been posted on the Quality Reporting website. The vaccination rate for hospice was 81.4% which is slightly lower than the 2021-2022 rate of 83%, and 42.3% received a gold star ( $\geq 95\%$  vaccination rate) which is slightly higher than the 2021-2022 rate of 37.5%. The vaccination rate for home health was 69.7% which was significantly lower than the 2021-2022 rate of 79%, and 26.8% received a gold star ( $\geq 95\%$  vaccination rate) which is slightly higher than the 2021-2022 rate of 24.1%. Nursing home and assisted living survey entries ended in late June and data continues to be quality checked and analyzed.

#### **Assisted Living Quality Analysis SB531 Workgroup**

The workgroup provided feedback on the 10 recommendations presented at the May 22 workgroup meeting. Staff and the contractor, SEA Health, have been working on incorporating feedback and revising the recommendations. A full draft of the recommendations was sent to the workgroup for feedback in the next two weeks.

### **SB509 Nursing Home Acquisitions Workgroup**

This workgroup involves examining the current CON process for approving nursing home acquisitions and whether acquired nursing homes should be required to eliminate triple and quadruple occupancy rooms. Staff are collaborating with the Center for Health Facilities and Planning to chair this workgroup. Staff have formally invited stakeholders and industry representatives to participate in the workgroup and are in the process of preparing for the first meeting. A final workgroup report with recommendations is due to the legislature by December 1, 2023. The first meeting has been scheduled for July 14, 2023, at 10 am.

### **Health Plan Quality Initiatives**

Data collection for the 2022 measurement year is ongoing.

### ***Outpatient Quality Initiative—Mariama Simmons***

#### **Outpatient Quality Initiative**

On June 1, 2023, staff launched a special ambulatory surgery center (ASC) dental capacity survey in response to House Bill 1146. The bill requires the Commission to administer a special survey of certain ASCs to assess the state's capacity to provide needed dental procedures to vulnerable populations including children. A comparable survey of hospitals has been administered by the Maryland Hospital Association. The survey was sent to the 94 ASCs that are either multispecialty facilities or currently providing dental/oral surgeries. The survey closed on June 22<sup>nd</sup>, and we received responses from 32 facilities. While staff was hopeful that the response rate would be higher, this is a voluntary survey focused on a subset of ambulatory surgery providers. Staff is in the process of further analyzing the data collected. The results of the survey and other data inputs will be used to craft regional plans to ensure appropriate access to needed dental services for vulnerable populations, particularly those insured by Medicaid. The survey results, the regional plans, and a report will be sent to Senate Finance Committee and the House and Government Operations Committee on or before December 1, 2023.

Staff is also preparing for the collection of the 2022 Annual Freestanding Ambulatory Surgical Facility (FASF) Survey. The annual reporting of ambulatory surgery facilities is required by COMAR 10.24.04. The data collected is used to support the regulatory activities of the Commission's Center for Health Care Facilities Planning and Development. The data is also used to facilitate informed health care decision making as results are posted on the Commission's Quality Reporting consumer website.

#### **Health Equity Initiative**

An inventory and summary MDH programs designed to address the needs of vulnerable populations is posted on the Quality Reporting website. Staff is in the process of preparing to re-survey the MDH program representatives for updates to the program summaries.