

MARYLAND HEALTH CARE COMMISSION

UPDATE OF ACTIVITIES

September 2023

EXECUTIVE DIRECTION

Government Relations and Special Project – Tracey DeShields

State Policy Update

During our last update we indicated that we were focused on pulling together the membership of the Commission on the Study of Trauma Funding in Maryland (Commission). Letters were sent to each trauma center/health system requesting names of nominees to the Commission on Trauma Funding. The names of the nominees to the Commission were submitted to the Secretary of MDH for appointment. Appointments were made by the Secretary of Health to the Commission on the Study of Trauma Funding in Maryland.

The Commission had its first meeting on August 10th. Discussion from the first meeting centered around people’s perspectives on trauma funding, providing history of the fund, and its purpose. In the meeting it was agreed that having a clear understanding on the cost challenges associated with trauma centers would help enlighten further discussions on how best to address funding and in particular the funding formula.

A trauma cost survey has been developed to be sent to each trauma center to complete and return to MHCC. Along with MIEMSS the information will be reviewed and will be discussed at possibly the third meeting of the Commission sometime in October.

We are working on the mental health workforce assessment along with the Behavioral Health Administration (BHA). We have contacted a potential contractor/ consultant to do the assessment and will seek to issue a sole source contract. The potential contractor/consultant is to submit a proposal to MHCC on September 15th. 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

N. Brand, S. Moniuszko “Urgent care for mental health: How a Maryland clinic is helping thousands of patients,” September 13, 2023, CBS News

<https://www.cbsnews.com/news/urgent-care-mental-health-maryland-clinic/>

S. O’Neill, A. Mickler: A new community plan for behavioral health in Anne Arundel County | COMMENTARY, September 13, 2023, Capital Gazette

<https://www.capitalgazette.com/opinion/columns/ac-ce-behavioral-health-commentary-sept13-20230913-jhn36bdv65cgnmm5fzjrv7zni-story.html#nt=ticker>

J. Commins, “CHS, Mindoula Partnership Integrates Virtual Mental Healthcare In Primary Care Venues,” September 13, 2023, Healthleaders
<https://www.healthleadersmedia.com/telehealth/chs-mindoula-partnership-integrates-virtual-mental-healthcare-primary-care-venues>

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/>

“Bloom Health Centers discloses data breach involving mental health data of 1,545 patients,” September, 12, 2023, DataBreaches.net
<https://www.databreaches.net/bloom-health-centers-discloses-data-breach-involving-mental-health-data-of-1545-patients/>

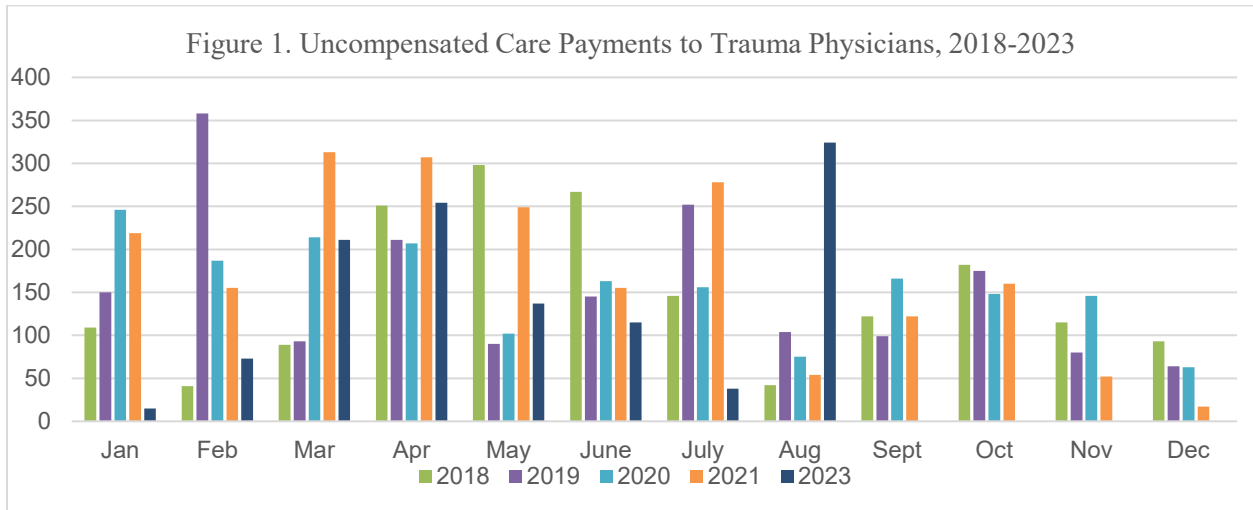
Social Determinants of Health

L. Joszt, MA, “New CMMI Model Supports Health Equity in States, Shifts Care to the Community.” September 13, 2023, AJMC
<https://www.ajmc.com/view/new-cmmi-model-supports-health-equity-in-states-shifts-care-to-the-community>

Maryland Trauma Physician Services Fund

Uncompensated Care Processing

Trustmark Health Benefits, the third-party administrator (TPA) for the Trauma Fund, processed \$38,043.69 uncompensated care claims through July 2023 and \$323,942.17 uncompensated care claims through August 2023.



MHCC Website: The MHCC website (<https://MHCC.maryland.gov>) had 313 during the months of July and August 2023.

Wear The Cost

In July 2023, 249 users visited the site.

Maryland Quality Reporting

The Maryland Quality Reporting had 1,811 total users in July and 3,225 total users in August, an increase of 78.1%. The website saw similar increases in activity for new users (increase of 80.1%) and sessions (increase 48.7%). The average session duration decreased 34.2% from 3 minutes and 44 seconds to 2 minutes and 27 seconds.

The site received the most website referrals in July from Gov Delivery, Maryland Access Point, and Google. In August the site received the most website referrals from Maryland Access Point. This was followed by Google, A Place for Mom, Facebook, and Medicare.

Facebook remains the primary social media referral source, accounting for 82.4% of all social referrals. LinkedIn accounted for 17.6% of user referrals.

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

Cost and Quality Analysis – Shankar Mesta

MCDB Data Submission Status, Payor Compliance, and Technical Support

As of end of August, all 35 (100%) payors submitted complete clean Q2 2023 data to Onpoint portal.

Thirty-five (100%) of the Q2 2023 payor data successfully passed the Tier 3 data quality validation checks. To facilitate data submission, MHCC staff and Onpoint staff sent weekly reminders to payors during the last two weeks of August to submit clean 2022 Q2 data before deadline of 08/31/2023. This is a consistent improvement in quarterly data collection which can be attributed to the enhanced communication and collaboration between MHCC, Onpoint and payor representatives.

The weekly reminders were effective in motivating payors to submit their data on time and to address any data quality problems promptly. As a result, no payors missed the deadline or failed the Tier 3 checks.

CAIS is pleased to announce that the 2022 MCDB data is now available for use by authorized users. This data had previously passed all validation checks for 2022. Onpoint will be delivering the HSCRC standard analytical file (SAF) in upcoming weeks. The HSCRC SAF is a subset of the MCDB data that is formatted and standardized according to the specifications of the HSCRC. The HSCRC SAF is used by HSCRC staff and contractors for various purposes, such as total cost of care and policy evaluation.

Mahlet Konjit-Solomon 'Mahi'
APCD Public Reporting and Data Release Division

Wear The Cost

No Update this month.

<i>CENTER FOR HEALTH CARE FACILITIES PLANNING AND DEVELOPMENT</i>
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Annual Supplemental Hospital Inventory Survey for 2023

A draft report is in process that will include tables with the information collected through the most recent survey. The report will be finalized and published on MHCC's web site in September.

Certificates of Ongoing Performance for Percutaneous Coronary Intervention Services

Staff reviewed compliance with conditions on the Certificates of Ongoing Performance for Adventist White Oak Medical Center and Suburban Hospital and found both hospitals to be in compliance. Staff will be available to respond to questions and if necessary, review the results with the Commission at the September Commission meeting.

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

The informal comments received on the draft regulations COMAR 10.24.10 (Chapter) have been reviewed and staff has revised the draft Chapter in response to the comments and updated statistics included in the Issues and Policies section. The Commission will consider approval of draft proposed regulations at the September Commission meeting.

Legislative Report on Radiation Injuries and Utilization of Certain Staff

Legislation passed in the 2019 session, Chapter 445 (HB 924) requiring the MHCC to conduct a review of hospital cardiac care catheterization laboratories in the State for information that includes the number of radiation injuries in cardiac catheterization laboratories, the number of Registered Cardiovascular Invasive Specialist (RCIS) positions employed by hospitals, and the number of vacant RCIS positions. MHCC is to submit its findings to the General Assembly by October 1, 2023. A survey has been sent to hospitals requesting the required information, and the report will be finalized by the end of September.

State Health Plan Chapter for Residential Treatment Centers (COMAR 10.24.07)

In preparation for updating COMAR 10.24.07, the State Health Plan Chapter for residential treatment centers (RTCs), Staff has been working on a White Paper. In August, RTC capacity (licensed, staffed, and physical beds) and utilization (patient discharges and days) information were collected for CY 2019- CY 2022; a similar survey was conducted in 2019. Maryland Department of Health (MDH) staff has been engaged to discuss MDH's plans and initiatives regarding the provision of residential treatment services to those who have difficulty accessing those services.

Long-Term Care Policy and Planning – Linda Cole

Palliative Care Services Workgroup:

Pursuant to HB378 (2022 session), MHCC staff convened a workgroup to address palliative care services statewide. The workgroup met six times between September 2022 and August 2023. A presentation on “The Current Status of Palliative Care Services in Maryland” was made to the June Commission meeting. The Interim Report was submitted to the Governor and the General Assembly as required in July. The workgroup will meet on August 31st to review recommendations as well as an outline for the Final Report. Staff expect to present this report to the Commission at its October meeting. The Final Report is due to the legislature November 1, 2023.

FY 2022 Hospice Survey:

The FY 2022 Maryland Hospice Survey launched on March 1, 2023, and Part II surveys were due by July 1st. All Part I and Part II surveys have been reviewed and accepted. Staff are currently reviewing the data in preparation for the production of Hospice Tables and the Hospice Public Use Data Set.

NASHP Technical Assistance Meetings:

The National Academy for State Health Policy (NASHP) awarded Maryland a technical assistance grant for its Serious Illness Institute to provide guidance on the development of palliative care programs in selected states. A call was held between Maryland staff and NASHP on July 13th. Survey results, draft recommendations, and options for financing were discussed. The next call will be scheduled in September.

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

CON Exemptions Approved

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

Hospice of the Chesapeake, Inc. merger with Hospice of Charles County, Inc. (Charles) and Calvert Hospice, Inc. (Calvert) resulting in the consolidation of Charles and Calvert administrative and hospice services under one entity, Hospice of the Chesapeake, Inc.
Estimated Project Cost: None

CONs Withdrawn

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

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

Johns Hopkins Bayview Medical Center – Docket No. 18-24-2414

Construction of a new inpatient building and renovation of two existing buildings on the hospital campus.
Estimated Project Cost: \$468,852,000

First Use Approval

TidalHealth Peninsula Regional Medical Center – Docket No. 18-22-2417

Addition of a new service, acute inpatient psychiatric services for children and adolescents (ages 0-18), in a new, renovated section in the hospital. The new unit will have five beds for children and ten beds for adolescents. It will be located on the third floor of the South Tower of the general hospital, adjacent to the existing 13-bed adult psychiatric unit.

Approved Cost: \$8,520,716

Board of Child Care – Docket No. 22-03-2460

Addition of a four-bed Residential Treatment Center to its New Windsor (Baltimore County), Maryland campus.

Approved Cost: \$922,238

Determinations of Coverage

• **Ambulatory Surgery Centers**

MedStar Health Endoscopy Center-Silver Spring, LLC d/b/a Montgomery Endoscopy Center – (Montgomery County)

Addition of a second procedure room at the facility located at 12002 Veirs Road, Silver Spring

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

Amended determination of coverage, which will allow local and general anesthesia care to be provided, when clinically appropriate, at the facility located at 251 National Harbor Boulevard, Suite 200, Oxon Hill

Columbia Parkway Surgery Center, LLC – (Howard County)

Amended determination of coverage to add Suite number. The facility is located at 8850 Columbia Parkway, Suite 102, Columbia

Hendi Ambulatory Surgery Center – (Montgomery County)

Addition of procedures and practitioners to the facility located at 5454 Wisconsin Avenue, Suite 725, Chevy Chase.

New Procedures:

- Oculoplastic surgery – local anesthesia
- Facial plastic surgery – local anesthesia
- Plastic surgery - local anesthesia

New Practitioners:

- Todd Goodglick, M.D. – ophthalmologist
- Rosalie Bair, M.D. – ophthalmologist
- Shawn Desai, M.D. – facial plastic surgery

Maple Lawn Surgery Center, LLC – (Howard County)

Addition of new physician owners at the surgery center located at 7625 Maple Lawn Boulevard, Suite 110, Fulton

New Physicians:

- Ira D. Gelb, M.D.
- Sanjog K. Mathur, M.D.
- Charles F. Mess Jr., M.D.
- Dennis P. O’Brien, M.D.
- Morris Brian Polsky, M.D.
- Daniel Tang, M.D.
- Michael Jaso Wallace, M.D.
- George L. Yeh, M.D.

After the transaction, the eight physicians will collectively own 14 percent. USP Maryland Inc. will own 51 percent, and the existing physician owners will own the other 35 percent.

Friendship Heights Endoscopy, ASC – (Montgomery County)

Establish an ambulatory surgery center (ASC-P) with four non-sterile procedure rooms to be located at 5550 Friendship Boulevard, T-100, Chevy Chase

Ownership Interest:

The proposed ASC will be owned by MGG Holdings, LLC, a Maryland limited liability company. MGG Holdings, LLC is owned by MGG Group, Inc., a Maryland corporation.

Affiliates in Plastic Surgery, LLC d/b/a Shady Grove Surgicenter – (Montgomery County)

Change in ownership of the facility located at 14245 Shady Grove Road, Suite 155, Rockville

Ownership Interest:

Dr Ali Al-Attar is the sole owner of Affiliates in Plastic Surgery, LLC, and closed on the acquisition of Ambulatory Plastic Surgery Center Associates, CHTD, on February 1, 2023, acquiring the facility, materials, and equipment at a total cost of \$200,000 and assuming the lease for the ASC.

Washington Vascular Specials of Takoma Park, LLC – (Montgomery County)

Establish an ambulatory surgery center (ASC-P) with 2 non-sterile procedure rooms to be located at 7610 Carroll Avenue, Suite 100, Takoma Park

Ownership Interest:

The sole owner of the proposed ASC-P is Dr. Mubashar Choudry, M.D.

Podiatry Associates Ambulatory Surgery Center, LLC – (Baltimore City)

Change in location from 9105 Franklin Square Drive, Suite 206, Baltimore, Maryland 21237, to 9114 Philadelphia Road, Suite 308, Rosedale, Maryland 21215.

Bowie Surgery Center, LLC – (Prince George’s County)

Establish an ambulatory surgery center (ASC-P) with one non-sterile procedure room to be located at 1220 Annapolis Road, Suite 123, Glenn Dale

Ownership Interest:

Kwasi A. Debra, M.D.

Surgery Center at Park Potomac LLC – (Montgomery County)

Change in ownership of the facility located at 7811 Montrose Road, Suite 330, Potomac. Jodie Stone, PAC, Majid Ghauri, MD, and Usman Zahir, MD, will become the owners of the center.

Clinical Associates, Ambulatory Surgery Center – (Baltimore County)

Addition of staff and a change in the procedures performed at the facility located at 515 Fairmount Avenue, Suite 100, Towson

Staff and Procedures:

- James Corkum, M.D. - Gastrointestinal endoscopy, including esophagogastroduodenoscopy with or without biopsy, colonoscopy with and without polypectomy, flexible sigmoidoscopy with and without biopsy, and removal of gastrostomy tube. (Anesthesia used - Propofol)
- James Novick, M.D. - Gastrointestinal endoscopy, including esophagogastroduodenoscopy with or without biopsy, colonoscopy with and without polypectomy, flexible sigmoidoscopy with and without biopsy, and removal of gastrostomy tube. (Anesthesia used - Propofol)
- Richard Pressel, M.D. - Insertion of Cardiac Loop Monitor (Anesthesia used - Local)
- Hillary Loper, M.D. - Infusion Therapy (No Anesthesia required)

MedStar Surgery Center 1, LLC d/b/a MedStar Health Surgery Center at Annapolis – (Anne Arundel County)

Establish an ambulatory surgery center (ASC-2) with two sterile operating rooms and one non-sterile procedure room to be located at 810 Bestgate Road, Suite 300, Annapolis

Ownership interest:

MedStar Ambulatory Services - 69%.

Of the remaining 31% ownership, the following entities will each own 2%:

Henry Boucher;
James C Dreese;
M Goldstein, LLC;
Cyrus Hadadi;
Mark D. Hasenauer;
PTV Investments, LLC;
Ryan D Katz; LVCS, LLC;
Richard Levine, Milford Marchant Trust;
Robert McKinstry;
Jose Mari D Parungao;
Mark Peeler;
Jason Stein; and
Jason M Wisbeck
Brown Vascular, LLC, - 1%.

SurgCenter of Western Maryland, LLC – (Allegany County)

Change in minority ownership.

	Current ownership - Post Transaction	
Western Maryland Health System Corporation	45.17%	38.68%.
Tom Ghobrial, MD	16.77%	14.36%.
Michael Summerfield, MD	11.61%	9.95%.
David Litman, MD	7.74%	6.63%.
Greg Wolff, MD	6.45%	5.52%.
Stasko Surgical Associates, P.A.	6.45%	5.52%.
Brian Hasslinger, MD	5.81%	4.97%.
Precision Orthopedics and Sports Medicine, LLC	0%	14.37%.

Prince Frederick Surgery Center – (Calvert County)

Addition of a new specialty and physician to the existing facility located at 70 Sherry Lane, Suite 101, Prince Frederick

- John Cooper, M.D. - Urology

Sterling Surgery Center, LLC – (Montgomery County)

Establish an ambulatory surgery center (ASC-2) with two sterile operating rooms and one non-sterile procedure room to be located 20430 Century Boulevard, Suite 100, Germantown

Ownership Interest:

Sunjay Berdia, MD	9.60%
David Gwinn, MD	7.34%
Joseph Hanna, MD	9.60%
David Higgins, MD	7.34%
John Keeling, MD	5.65%
Laura Keeling, MD	3.95%
David Levin, MD	7.34%
Harrison Solomon, MD	6.21%
Surgical Center Development #5, LLC	42.94%

Horizon Surgical Group, PA d/b/a Horizon Vascular Specialist – (Montgomery County)

Establish an ambulatory surgery center (ASC-2) with two sterile operating rooms to be located at 20410 Observation Drive, Suite 100, Germantown

Ownership Interest:

Richard Silva, MD	25%
Shan Haider, MD	25%
Jeffrey Wang, MD	25%
Dustin Yoon, MD	25%

Southern Maryland Endoscopy Center, LLC – (Prince George’s County)

Relocation from 7700 Branch Ave, Suite A102 in Clinton, MD 20735. This licensed ASC (A1345) will move to 125 Potomac Passage, 2nd floor, Oxon Hill, MD 20734.

In Step Podiatry Surgery Center, LLC – (Prince George’s County)

Establish an ambulatory surgery center (ASC-P) with one non-sterile procedure room to be located at 2905 Mitchellville Road, Suite 105, Bowie

Ownership Interest:

- Queen Mbanuzue, DPM

AAU Greenbelt ASC, LLC – (Prince George’s County)

Change in ownership of the facility located at 7855 Walker Drive, Suite 102, Greenbelt.

Ownership Interest:

Anne Arundel Urology, P.A.	70%
AAU Holdings, P.C.	30%

Anne Arundel Urological Surgery Center, LLC – (Anne Arundel County)

Change in ownership of the facility located at 600 Ridgely Avenue, Suite 130, Annapolis

Ownership Interest:

- Anne Arundel Urology, P.A. 100%

SurgCenter of Western Maryland, LLC – (Allegany County)

Minor ownership change:

	Previous
Western Maryland Health System Corporation	38.68%.
Tom Ghobrial, MD	14.36%.
Michael Summerfield, MD	9.95%.
David Litman, MD	6.63%.
Greg Wolff, MD	5.52%.
Stasko Surgical Associates, P.A.	5.52%.
Brian Hasslinger, MD	4.97%.
Precision Orthopedics and Sports Medicine, LLC	14.37%.
	New
UPMC Western Maryland Corporation (formerly known as Western Maryland Health System Corporation)	38.67%
Tom Ghobrial, M.D.	14.36%
Provider Management Enterprises, Inc.	9.95%
David Litman, M.D.	6.63%
Gregg Wolff, M.D.	5.52%
Michael Stasko, M.D.	5.52%
Brian Hasslinger, M.D.	4.97%
Precision Orthopedics Management Co, LLC	14.36%

Windsor Mill Surgery Center – (Baltimore City)

Transfer of all the assets of Windsor Mill Surgery Center to Clearway Pain Surgery Center of Windsor Mill. The existing ASC is owned by Dr. Daniel P. Markmann, and Dr. Ira Kornbluth will acquire 100% of the ASC.

The facility is located at 2373 North Rolling Road, Windsor Mill, and has one sterile operating room and two non-sterile procedure rooms.

- **Acquisition/Change of Ownership**

Manor Care of Wheaton MD LLC, d/b/a Promedica Skilled Nursing and Rehabilitation (Wheaton) – (Montgomery County)

Acquisition of the above-referenced comprehensive care facility (CCF) on August 1, 2023. The operator of the facility is Manor Care of Wheaton MD LLC, d/b/a Promedica Skilled Nursing and Rehabilitation (Wheaton), and will change to Wheaton Operator, LLC, dba Montcare at Wheaton. The real property and bed rights will not change.

Purchase Price: There is no purchase price as the property licensee will replace the existing tenant and will function under a lease with the real estate owner.

Manor Care of Bethesda MD LLC, d/b/a Promedica Skilled Nursing and Rehabilitation (Bethesda) – (Montgomery County)

Acquisition of the above-referenced comprehensive care facility (CCF) on August 1, 2023. The operator of the facility is Manor Care of Bethesda MD LLC, d/b/a Promedica Skilled Nursing and Rehabilitation (Bethesda), and will change to Bethesda Operator, LLC, dba Montcare at Bethesda. The real property and bed rights will not change.

Purchase Price: There is no purchase price as the property licensee will replace the existing tenant and will function under a lease with the real estate owner.

Manor Care of Potomac MD LLC, d/b/a Promedica Skilled Nursing and Rehabilitation (Potomac) – (Montgomery County)

Acquisition of the above-referenced comprehensive care facility (CCF) on August 1, 2023. The operator of the facility is Manor Care of Potomac MD LLC, dba Promedica Skilled Nursing and Rehabilitation (Potomac), and will change to Potomac Operator LLC, dba Montcare at Potomac. The real property and bed rights will not change.

Purchase Price: There is no purchase price as the property licensee will replace the existing tenant and will function under a lease with the real estate owner.

- **Licensure**

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

Autumn Lake Healthcare at South Haven – (Anne Arundel County)

Temporary delicensure of all 154 CCF beds at the facility

Keswick Multi-Care Center – (Baltimore City)

Temporary delicensure of 54 CCF beds at the facility

- **Relinquishment of Bed Capacity or a Health Care Facility**

Broadmead – (Baltimore County)

Relinquishment of 19 CCF beds. The facility will be authorized for 51 CCF beds.

- **Other**

CareNet Health Services Systems, Inc. d/b/a Lorien Health Systems Mt Airy Home Health Agency – (Carroll County)

D/b/a name change from Lorien Health Systems Mt Airy Home Health Agency to Lorien Mt. Airy d/b/a Lorien Home Health.

Northwest Healthcare Center – (Baltimore City)

CommuniCare Health Services (CHS) proposes to relocate Northwest Healthcare Center (Northwest) an affiliated 91-bed comprehensive care facility located at 4601 Pall Mall Road, Baltimore, Maryland, 21215. CHS is purchasing the property previously operating as Grove Park Elementary School (Grove Park) located at 5545 Kennison Avenue, also in Baltimore City 21215. CHS intends to relocate Northwest in its entirety, including all 91 beds, to a new facility at the Grove Park location with a tentative opening date between May and October 2025.

Kaiser Permanente Peritoneal Dialysis Facility – (Montgomery County)

Establish a freestanding kidney dialysis center offering peritoneal dialysis services at 1396 Piccard Dr., Rockville.

Fresenius Kidney Care – (Prince George’s and Anne Arundel Counties)

Establish freestanding kidney dialysis centers offering peritoneal dialysis services to be located at:

Fresenius Kidney Care Capitol Arena - 12220 Central Ave, Bowie, MD 20721

Fresenius Kidney Care Bowie - 16300 Heritage Blvd, Bowie, MD 20716

Fresenius Kidney Care Mitchellville – 12220 Central Avenue, Mitchellville, MD 20721

Fresenius Kidney Care Glen Burnie - 8028 Ritchie Hwy STE 140, Pasadena, MD 21122

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

Crescent Cities Nursing and Rehabilitation Center

Transaction: Acquisition of assets

CURRENT

Owner of the real property: 4409 East West Highway LLC

Owner of bed rights: 4409 East West Highway LLC

Operator: Crescent Cities SNF LLC

POST-TRANSACTION

Owner of the real property: 4409 East West Highway LLC

Owner of bed rights: 4409 East West Highway LLC

Operator: Brightwood SNF Operator LLC

Purchase price: \$0 (lease with a line of credit)

Additional information: The 158-bed CCF is located at 4409 East West Highway, Riverdale, Maryland, 20737. The facility currently has an average 3 out of 5-star rating on the CMS Nursing Home Compare website. The facility has a Memorandum of Understanding (MOU) with Medicaid of 43.8%, and it has met its threshold. The anticipated closing date of the transaction is November 1, 2023.

While MHCC acknowledges that this transaction has met the requirements for an acquisition, we note that CCFs associated with majority owner Moshe Rajchenbach have below-average ratings (composite scores of 2 stars out of five) on the CMS Nursing Home Compare Five-Star Quality Rating System. In addition, two of the 43 nursing homes affiliated with Moshe Rajchenbach have been flagged by CMS for Resident Abuse¹. Mr. Rajchenbach has affiliated facilities in North Carolina and Virginia but will be a new operator in Maryland. The track record of the person acquiring this CCF would probably fail to meet the requirements for docketing a CON application to establish or expand a CCF under the State Health Plan Quality Rating standard [COMAR 10.24.20.05A(8)].

¹ The rating scores were accessed on August 30, 2023, from the CMS Nursing Home Compare website. The data had been last updated on July 26, 2023. The CMS flag for Resident abuse is given to CCFs who have an abuse citation within the last year.

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

Health Information Technology Division – Nikki Majewski, Division Chief

Interstate Telehealth Study

Drafting of the Interstate Telehealth Expansion Study Report was completed. The report includes nine recommendations and five notable considerations based on feedback from a multi-stakeholder workgroup (convened January – March 2023) that discussed barriers and opportunities to expanding the delivery of telehealth services across State lines. The Health and Government Operations (HGO) Committee Chair requested the study in May 2022 after House Bill 670, *Maryland Health Care Commission – Study on Expansion of Interstate Telehealth* (2022) was withdrawn. The final report is due to the HGO Committee by December 1, 2023.

Telehealth Study

Preparation of two Requests For Proposals (up to \$100,000 each) is advancing to identify a contractor to study matters identified in Chapter 382/Senate Bill 534, *Preserve Telehealth Access Act of 2023* and Chapter 291/House Bill 1148, *Behavioral Health Care – Treatment and Access (Behavioral Health Model for Maryland)* (2023). One solicitation seeks proposals for conducting an analysis to determine provider costs and level of work when delivering somatic and behavioral health services using telehealth compared to services delivered in-person. The other solicitation seeks proposals to develop a Health Payment Adequacy Assessment Framework to benchmark payer reimbursements for primary care and behavioral health outpatient services to the current Medicare Physician Fee Schedule. Reports with recommendations to the Senate Finance (SF) Committee and HGO Committee are due by December 1, 2024.

Noncontrolled Prescription Drugs Reporting

Drafting of the Noncontrolled Prescription Drugs Dispenser Data Submission Manual (manual) is advancing. The manual will include information on reporting elements, reporting time frames and frequency, electronic specifications, and technology failure protocols. CRISP will use the American Society for Automation in Pharmacy (ASAP) standard for dispenser reporting. The ASAP standard supports the Maryland Prescription Drug Monitoring Program to securely collect and store dispense information for drugs that contain controlled dangerous substances. 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. Completion of the manual is targeted for the fall; the manual will be posted on MHCC’s website and updated annually.

Health IT Spotlights

A spotlight was developed overviewing the electronic advance directives landscape in Maryland and the nation. The spotlight reports growth of advance directives stored in electronic health record systems. Development of a spotlight on improving health equity through use of health IT is underway. The spotlight will include findings from an analysis of data from the annual *Health Information Technology Survey* (completed by 18 health systems with 43 acute care hospitals in Maryland) and available national comparisons. The spotlight is targeted for completion in Q4 2023.

Urgent Care Center Environmental Scan

Data review and analysis is moving forward on responses to a questionnaire about urgent care center (UCC) operations and use of health IT. The questionnaire was sent to 27 UCCs and one retail clinic with a combined 218 sites in Maryland. Findings will provide insights on statewide digital transformation and inform strategies to expand UCCs' use of health IT. An information brief is targeted for release in Q4 2023.

Advance Directives

Promotional activities are ongoing for an advance directives public service announcement (PSA) recorded by Kurt Schmoke, University of Baltimore president and former mayor of Baltimore City. The PSA has been shared across social media and with radio and television stations. Planning is proceeding for a mental health advance directives public awareness campaign in collaboration with the Behavioral Health Administration. Development of a provider flyer with guidance on how behavioral health crisis providers can access advance directives via CRISP has begun. A progress report is being prepared for the SF Committee and HGO Committee by December 1, 2023, as required by Chapter 297/Senate Bill 154, *Public Health – Mental Health Advance Directives – Awareness and Statewide Database* (2023).

Legislative Reporting

A report was finalized that identifies ongoing revenue sources to fund requirements for expanding use of health IT 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 application. Chapter 790/Chapter 791, *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 (EHNs) to submit administrative health care transactions to CRISP. Chapter 296, *Public Health – State Designated Exchange – Health Data Utility* (2022) establishes a health data utility 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.

Electronic Health Record Technology

Meetings were convened with representatives from provider organizations and health IT developers, including Epic, Oracle/Cerner, and select health systems using Meditech to discuss potential approaches to implementing requirements in Chapter 249/House Bill 812, *Health - Reproductive Health Services - Protected Health Information and Insurance Requirements* (2023). The law establishes protections for the disclosure of legally protected health care by health information exchange and EHN entities operating in Maryland. Legally protected health care includes reproductive health services, medications, and supplies related to the provision of abortion care and other sensitive health services. Compliance is required by December 1, 2023.

HIE Privacy and Security Regulations

Drafting of emergency regulations to support Chapter 249/House Bill 812, *Health - Reproductive Health Services - Protected Health Information and Insurance Requirements* (2023) were completed. Draft amendments to COMAR 10.25.18, *Health Information Exchanges: Privacy and Security of Protected Health Information* (regulations) are planned to be released for informal stakeholder review through October. A review is occurring of informal comments received to preliminary draft amendments that modernize the regulations. The amendments align the regulations with interoperability and information blocking provisions in the 21st Century Cures Act and the ONC Health IT Certification program final rule and includes legislation that passed in 2021 and 2022. A revised draft of the regulations is aimed for stakeholder review in Q1 2024.

Electronic Data Interchange (EDI)

An analysis of data from 32 payers required to submit a 2022 EDI Progress Report (report) was completed. COMAR 10.25.09, *Requirements for Payers to Designate Electronic Health Networks*, requires payers with

annual premiums of \$1 million or more to submit a report by June 30th. A findings summary is targeted for release in Q4 2023.

Innovative Care Delivery Division – Melanie Cavaliere, Division Chief

Primary Care Workgroup

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. The Primary Care Workgroup convened in August to consider proposed elements of the Plan.

Practice Transformation Grant Activities

Practice assessment, transformation training, and workflow redesign activities are progressing for 13 practices in Round 2 of the Advancing Practice Transformation in Ambulatory Practices (APT) program. The assessment and training framework are informed by the Centers for Medicare & Medicaid Services Transforming Clinical Practice Initiative practice transformation modules. The MHCC competitively awarded MedChi Care Transformation Organization (CTO) an APT grant for Round 2 funding in July 2022. Practices in the 2021 cohort concluded their transformation program in June. The APT program concludes in June of 2024. Promotional activities for Round 2 are underway in collaboration with the CTO.

Learning Network

Planning is in process for a fall dental cybersecurity symposium at the Maryland State Dental Association Chesapeake Dental Conference. Staff are scheduled to present on Value-Based Care (VBC) at the October Maryland Podiatric Medical Association Member meeting. Planning in collaboration with various stakeholders for a fall symposium on Team-Based Care has commenced.

Value-Based Care

A VBC consumer education flyer (flyer) was developed that overviews care delivery changes that consumers can expect to receive as primary care providers increasingly participate in VBC programs. The flyer highlights team-based care, electronic access to personal health information, and patient centric approaches to managing care.

Alternative Care Delivery

The development of a questionnaire is moving forward to assess hospitals' use of alternative care delivery approaches for patients that present with non-acute symptoms prior to an emergency department (ED) encounter. The questionnaire collects information on approaches implemented by hospitals that provide patients with alternatives to receiving care in an ED that oftentimes is overcrowded and costly. Findings will inform strategies for furthering innovative care delivery programs.

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 [Maryland Quality Reporting](#) consumer site. Adult medical day care provider pages have been updated using data from the most recent MHCC Long Term Care Survey. Nursing home provider pages have been updated with the star ratings, staffing and quality measures, and the health, fire and safety inspection results using the July 2023 CMS Care Compare data. Nursing home overviews and services offered have been updated, using data from the Commission's Long Term Care Survey. The staff stability measure was updated with the Medicare survey data, and patient characteristics have been updated using MDS data. Home health agency family satisfaction and quality measures have been updated using the July 2023 CMS Care Compare data files. Healthcare worker flu vaccination results for the 2022-2023 flu season were posted for nursing homes, assisted living facilities, and hospitals. Hospital healthcare associated infection results were also posted for CY2022. 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 higher in August (3,225 users) compared to July (1,811 users). 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 both July and August. Topics included National Immunization Awareness Month, World Breastfeeding 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 promote the MQR website using additional social media platforms such as LinkedIn and NextDoor.

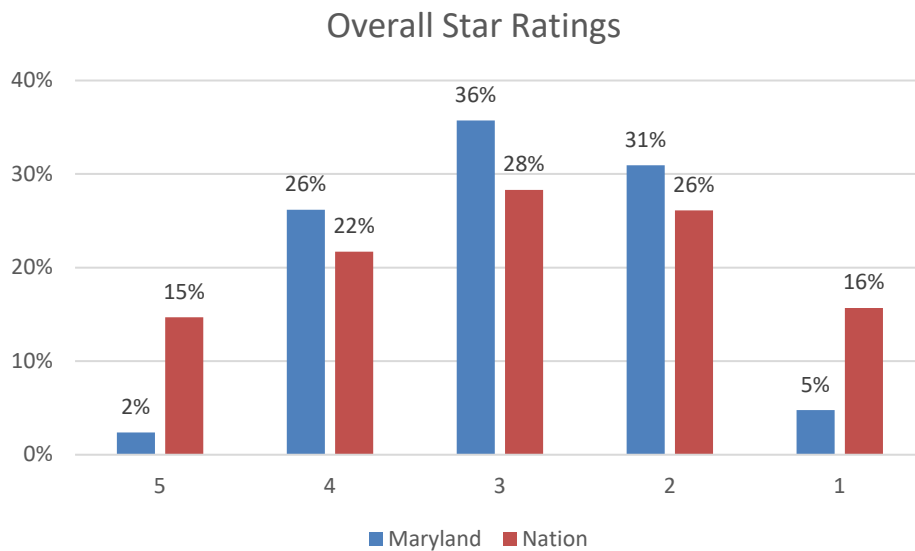
Hospital Quality Initiatives – Courtney Carta

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. Healthcare associated infections increased during the public health emergency but CY2022 results indicate significant improvements. Statewide hospital performance was significantly better than the national experience for the following infection types: catheter associated urinary tract infections (CAUTI), clostridioides difficile (CDI) and methicillin resistant staphylococcus aureus (MRSA). Maryland hospitals performed about the same as the national experience on the following infection types: central line associated blood stream infections (CLABSI), and surgical site infections for all required procedure types (e.g., hip replacement, knee replacement, abdominal hysterectomy, and CABG). One area that the state continues to struggle with since the pandemic is CLABSI infections in the ICU. Statewide collaboratives and improvement programs are ongoing to address this. The Maryland hospital healthcare worker flu vaccination rate was 95%. Though still high, this is a slight decline from 97%, which has been the average of the past several years. Maryland remains among the top 5 states nationally for employee flu vaccination coverage.

CMS Star Ratings

CMS utilizes a star rating system to measure hospital performance to help consumers make informed healthcare decisions. The star rating summarizes a variety of measures across five areas of quality into a single star rating for each hospital (5 stars is the best). Compared to the nation, Maryland has fewer 5-star and 1-star facilities, and more 2-star, 3-star, and 4-star facilities, proportionally.



Specialized Cardiac Services Data

All Maryland hospitals that provide PCI services are required to participate in the ACC NCDR CathPCI data registries and report quarterly data and detailed reports to the Commission in accordance with established timelines. The third quarterly cardiac data coordinators meeting of 2023 occurred on August 8, 2023. Discussion points included data registry updates, MIEMSS updates, a case study, and a question-and-answer session. The next meeting is scheduled for November 14, 2023.

Morbidity and Mortality Quality Review Committee Participation

Staff regularly attend and participate in the quarterly Morbidity and Mortality Quality Review Committee within the Maternal and Child Health Bureau at the Maryland Department of Health. As required in the State Health plan, hospitals that provide obstetrical and neonatal intensive care must comply with the Maryland Perinatal System Standards. Staff participated in a virtual hospital site visit at UPMC Western Maryland with the MMQRC team to review hospital performance and monitor compliance with Maryland Perinatal System Standards.

Long Term Care and Health Plan Quality Initiatives—Stacy Howes

Nursing Home Family Experience of Care Survey

Resident lists have been collected from all nursing homes and are currently being formatted to begin the process of sending the survey out. The survey will be ready for distribution to Maryland residents by mid-October.

Health Care Worker Influenza Vaccination Survey

Nursing Homes and Assisted Living

Data for skilled nursing and assisted living facilities with ten or more beds have been posted on the Quality Reporting website. All 225 Maryland nursing homes completed the survey. The 2022-2023 state vaccination

rate for nursing home health care workers was 74% which is slightly lower than the 2021-2022 rate of 75%, and 30% received a gold star ($\geq 95\%$ vaccination rate) which is slightly lower than the 2021-2022 rate of 32%. 69% of nursing facilities have or plan to implement a mandatory flu vaccine policy, and 88% have or plan to implement a COVID-19 vaccine policy. 368 assisted living facilities completed the survey. The influenza vaccination rate for assisted living facilities was 57% which was slightly lower than the 2021-2022 rate of 59%, and 27% received a gold star ($\geq 95\%$ vaccination rate) which is significantly higher than the 2021-2022 rate of 23%. 44% of assisted living facilities have or plan to implement a mandatory flu vaccine policy, and 55% have or plan to implement a COVID-19 vaccine policy. Mandatory vaccination policies may include strategies such as requiring face masks to be worn, restricting employee access to residents or limiting access to parts of the facility, and termination of employment.

Home Health and Hospice

Staff are in the process of preparing for the 2023-2024 data collection year.

Assisted Living Quality Analysis SB 531 Workgroup

Staff have been working, in conjunction with the SEA Healthcare, on the recommendations and the technical report for the workgroup to review in September. Staff plan to share the recommendations at the October Commission meeting.

SB509 Nursing Home Acquisitions Workgroup

The workgroup has met 3 times (July 14, August 4, and August 25), and the 4th meeting is scheduled for September 15. The workgroup has examined the effects of private equity and REITs on nursing home ownership through speakers from the University of Pennsylvania, the Office of the Attorney General, and the Office of Health Care Quality, and Nexus Insights. The workgroup will begin to synthesize its understand of the bill's requirements and begin to generate recommendations.

Health Plan Quality Initiatives

Data collection for the 2022 measurement year is complete, and the contractor, HealthcareData Company, has begun data analysis. Results of the analyses will be complete by the end of September.

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 was administered by the Maryland Hospital Association (MHA). Staff analyzed the results of the special dental survey and drafted a summary write-up. Staff continues to meet with representatives from MHA and the Department of Health to address the requirements of the bill. A report will be developed and sent to the Senate Finance Committee and the House Government Operations Committee on or before December 1, 2023.

Staff launched the 2022 annual Freestanding Ambulatory Surgical Facility (FASF) Survey on July 31, 2023. The annual reporting of ambulatory surgery facilities is required under COMAR 10.24.04. The data collected is used to support the planning and CON related activities of the Center for Health Care Facilities Planning and Development and for public reporting on the *Maryland Quality Reporting* consumer website. The FASF Survey is administered to 338 facilities. Fifty-six facilities have submitted to date. The survey submission deadline is October 2, 2023.