

ARYLAND HEALTH CARE COMMISSION

UPDATE OF ACTIVITIES

December 2022

EXECUTIVE DIRECTION

Government Relations and Special Project – Tracey DeShields

State Policy Update

MHCC staff continues to work on legislative interim projects from the 2022 legislative session. The various workgroups (Palliative Care, Workplace Violence, Non-CDS, ALFs, Primary Care) mandated by bills passed in the 2022 legislative session are well underway.

The Healthcare Workforce Shortage Commission (*HB 625 – Commission to Study the Health Care Workforce Crisis in Maryland – Establishment*) is in full swing. workgroup has begun meeting. Commissioner Bhandari is attending the meetings as the MHCC representative. Commissioner Bhandari is leading the *Hospitals* workgroup. Continuing to support Commissioner Bhandari on the HealthCare Workforce Workgroup is Mr. Ben Steffen, Mr. David Sharp, and Ms. Tracey DeShields.

Additionally, we are following the happenings related to the transition from the Hogan administration to the new Governor-elect Moore’s administration. To date the Moore-Miller “transition and transformation” team, will have four co-chairs and will be run on a day-to-day basis by Cleo Hirsch, the executive director for COVID response at the Baltimore City Public Schools. The co-chairs are Prince George’s County Executive Angela Alsobrooks (D), who also joined Comptroller-elect Brooke Lierman’s transition team; Shelonda Stokes, president of the Downtown Partnership of Baltimore; Mary Tydings, Moore’s campaign treasurer who is a longtime executive at a national business executive search firm and is daughter of the late U.S. Sen. Joseph D. Tydings (D); and Ken Ulman, the former Howard County executive who now runs an economic development and planning consulting firm that is partially responsible for the recent transformation of the commercial district of College Park.

As part of the transition and transformation team various policy committees have been established including a Health Care Policy Committee. The members of the Committee have been named and the co-chairs of the Committee are Linda Brown, Vice President of the healthcare workers union SEIU and Dr. Joshua Sharfstein, is a physician and Vice Dean for Public Health Practice and Community Engagement at the Johns Hopkins Bloomberg School of Public Health. It is not clear how the policy committees and the transition process will work at this point.

MHCC-related news coverage: selected articles and commentary

Healthcare Workforce

Hennen, A. “State lags in health care due to restrictions on nurse authority.” December 1, 2022.

Times Observer. Available from:

<https://www.timesobserver.com/news/pa-news-apwire/2022/11/state-lags-in-health-care-due-to-restrictions-on-nurse-authority/>

Health Data

Balasubramanian, M.D., J.D., S. “Blockchain Technology May Transform The Future Of Healthcare.” November 27, 2022. Forbes. Available from:

<https://www.forbes.com/sites/saibala/2022/11/27/blockchain-technology-may-transform-the-future-of-healthcare/?sh=4616705951b4>

Latz, T. “Disrupting Healthcare from the Inside Out.” November 27, 2022. Managed Healthcare Executive. Available from:

<https://www.managedhealthcareexecutive.com/view/disrupting-healthcare-from-the-inside-out>

Behavioral Health

Conlin, B. “Mobile Sports Wagering’s Potential Impact On Maryland Problem Gambling.” November 28, 2022. Available from:

<https://sportshandle.com/mobile-sports-wagerings-impact-maryland-problem-gambling/>

Medicaid

Press Release. “Maryland Man Pleads Guilty to Defrauding Medicaid of More than \$700,000 in Scheme Involving Personal Care Services.” November 28, 2022. Department of Justice. Available from:

<https://www.justice.gov/usao-dc/pr/maryland-man-pleads-guilty-defrauding-medicaid-more-700000-scheme-involving-personal-care>

Maryland Department of Health

Sample, S. “Maryland Braces for Flu Season with Trifecta of Respiratory Viruses.” November 28, 2022. Conduit Street, Maryland Association of Counties. Available from:

<https://conduitstreet.mdcounties.org/2022/11/28/maryland-braces-for-flu-season-with-trifecta-of-respiratory-viruses/>

Health Disparities

Press Release. Cook, C. “Maryland Department of Health recognizes National Prematurity Awareness Month in November.” November 29, 2022. Maryland Department of Health. Available from:

<https://health.maryland.gov/newsroom/Pages/Maryland-Department-of-Health-recognizes-National-Prematurity-Awareness-Month-in-November.aspx>

Schlattman, S. “A 3-part prescription for better health in Maryland | READER COMMENTARY.”

November 29, 2022. Baltimore Sun. Available From:

<https://www.baltimoresun.com/opinion/readers-respond/bs-ed-rr-maryland-health-care-policy-letter-20221129-rf5cjzlhmvaz7fuxoy3q3y76aq-story.html>

Media Release. “Worcester Health Receives New Funding to Address Health Equity.”

November 30, 2022. WBOC. Available from:

https://www.wboc.com/news/worcester-health-receives-new-funding-to-address-health-equity/article_242150f0-70bf-11ed-af93-9bce10897811.html

Health Facilities

Andrews, N. “Brandywine CEO: New Intergenerational Senior Living Model Hinges on Creating Neighborhoods.” November 29, 2022. Senior Housing News. Available from:

<https://seniorhousingnews.com/2022/11/29/brandywine-ceo-new-intergenerational-senior-living-model-hinges-on-creating-neighborhoods/>

Health Insurance

Maucione, S. “Maryland seniors face 15% premium hike for long-term health care policies.”

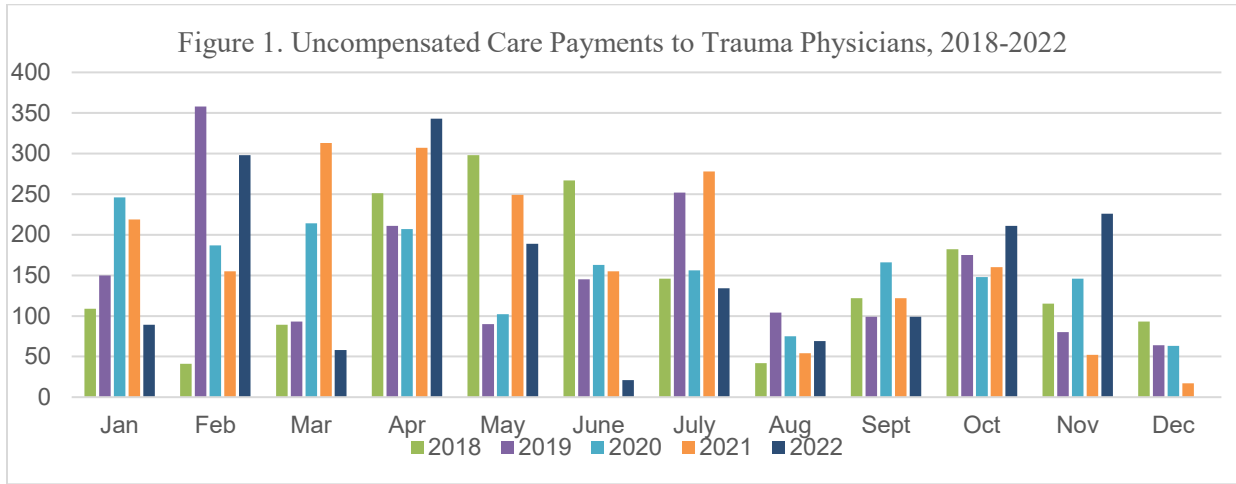
November 30, 2022. WYPR. Available from:

<https://www.wypr.org/wypr-news/2022-11-30/maryland-seniors-face-15-premium-hike-for-long-term-health-care-policies>

Maryland Trauma Physician Services Fund

Uncompensated Care Processing

Trustmark Health Benefits, the third-party administrator (TPA) for the Trauma Fund, processed \$225,771.80 uncompensated care claims through November 2022.



Website Contacts The MHCC website (<https://MHCC.maryland.gov>) had 3,584 users in the month of November 2022. **Wear The Cost** In November 2022, 1,099 users visited the site.

Maryland Quality Reporting had 2,320 users, 2,932 sessions and 4,153 pageviews in November. The average session duration was 1 minute and 18 seconds. Website activity decreased for nearly all metrics, but this was expected with the conclusion of the fourth and final flight of the Maryland Public Television campaign. The site received the most website referrals from MHCC’s homepage (41.6%). The website also had referrals from Maryland 211, Maryland Attorney General, Maryland State Archives, Consumer Health Rankings, and A Place for Mom. During the month, there were 14 users referred to the website from the ad in the Maryland Nurses Association newsletter. Facebook continues to be the primary social media referral source, accounting for 80% of all social referrals.

Figure 2: Number of Website Users per Month, December 2021 - November 2022

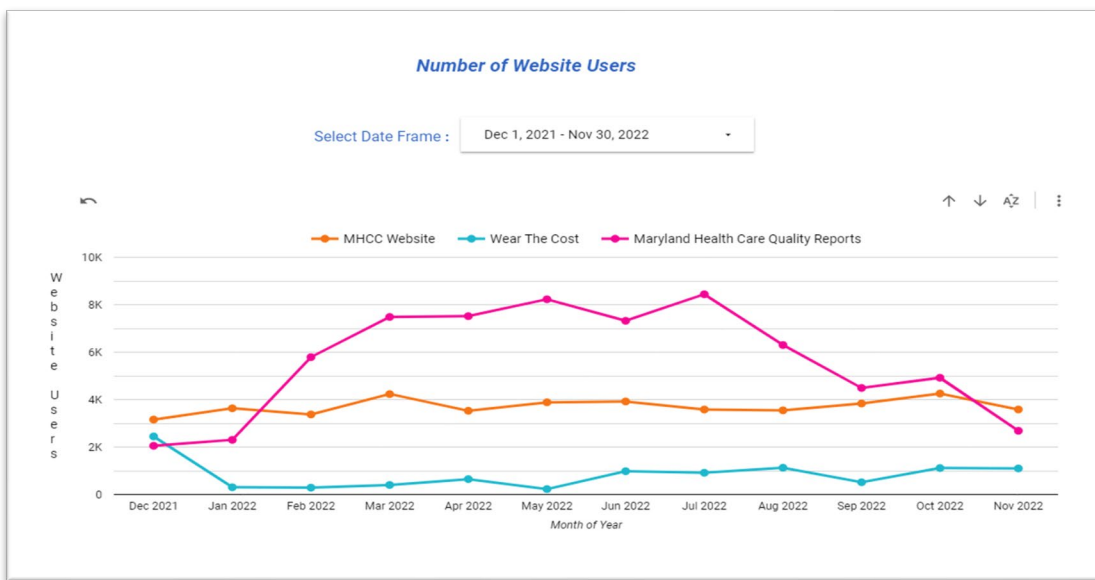


Figure 2 shows the number of website users over a 12-month period for each of the three websites maintained by Commission staff. Specific information about each website is listed above.

CENTER FOR ANALYSIS AND INFORMATION SYSTEMS

Cost and Quality Analysis – Shankar Mesta

MCDB Data Submission Status, Payor Compliance, and Technical Support

Thirty-four (100%) payors submitted Q3 2022 data as of end of November 2022.

Thirty-four (88%) of the Q3 2022 payor data successfully passed the Tier 3 data quality validation checks before the 11/30/2022 deadline. Four **(12%)** of the Q3 2022 payor data failed the data quality checks. MHCC staff and Onpoint staff will continue to work with four payors to submit clean data by 12/16/2022.

MHCC has released the 2021 MCDB data to the first of its state partners. This data had previously passed all the validation checks for 2021. Onpoint delivered the HSCRC standard analytical file (SAF) during the last week of November.

Special Projects – Janet Ennis

Requests for Mandate Analysis

Staff received formal letters of request from the Senate Finance and the House Health and Government Operations Committees to evaluate three proposed mandates that failed during this year’s legislative session. Consistent with Insurance Article §15-1501, it is their practice to have MHCC assess the social, medical, and financial impacts of a proposed mandated health insurance service or coverage before approving legislation to adopt the new mandate. The requested evaluations relate to the following failed bills:

- (1) SB 634 - requiring coverage of home test kits for sexually transmitted diseases
- (2) HB 142 - revising the current coverage of in vitro fertilization (IVF); and
- (3) SB 725/HB 974 - Health Insurance - Physical Therapy - Copayments, Coinsurance, and Deductibles

MHCC staff drafted small procurement Bid Boards for actuarial consulting services to conduct each analysis, also allowed under Insurance Article §15-1501, to carry out the statutory provisions. Lewis & Ellis, the successful bidder analyzing proposed revisions to the IVF mandate, worked with carriers on survey questions, discussed the issues with a major provider group, and conducted a literature review for that evaluation. Later in today’s meeting, Lewis & Ellis will present their draft report for approval. Axene Health Partners continues similar work, along with discussions with the bill sponsor, on the STD mandate evaluation. Axene will present their draft report at the January 2023 public meeting. As you will recall, BerryDunn presented their draft analysis on equating out-of-pocket costs for physical therapy services with those of primary care services and the Commission approved that report to be submitted along with an accompanying letter to the Legislature. All three mandate studies, once approved by the Commission, will be submitted to the General Assembly by the start of the 2023 legislative session.

CENTER FOR HEALTH CARE FACILITIES PLANNING AND DEVELOPMENT

Acute Care Policy and Planning – Eileen Fleck

Certificates of Ongoing Performance for Cardiac Surgery

Staff briefed the Commission on the request for a Certificate of Ongoing Performance for the cardiac surgery program at UPMC Western Maryland (Docket No. 22-01-CP034), endorsing continued certification of this Allegany County program. The Commission approved a four-year extension of the UPMC Western Maryland program's certification.

Long-Term Care Policy and Planning – Linda Cole

Palliative Care Services Work Group

The second meeting of this legislative report Work Group was convened on November 14. Payers presented updates on reimbursement for palliative care. Discussion focused on the draft survey to identify where palliative care services are provided and where there are gaps in services. Meeting materials, including the meeting summary, may be found at: https://mhcc.maryland.gov/mhcc/pages/home/workgroups/workgroups_palliative_care_services.aspx

Nursing Home Report

A data set profiling Maryland's comprehensive care facility (nursing home) sector, using information gathered in the FY 2020 MHCC Long Term Care Survey and the federal Minimum Data Set (MDS), in tabular form, was posted on the MHCC web site in November. The tables can be accessed at:

https://mhcc.maryland.gov/mhcc/pages/hcfs/hcfs_ltc/documents/Routine%20Reports%20All%20Tables%2011_14_22%20FINAL.pdf

Certificate of Need – Wynne Hawk

CON's Approved

Avenues Recovery Center of Maryland – (Calvert County) – Docket No. 22-04-2455

Establish a new 20-bed Track One alcoholism and drug abuse intermediate care facility (ICF) for adults. The proposed ICF services will be provided through the facilities of an existing residential treatment program for substance use disorder located at 125 Fairground Road in Prince Frederick.

Approved Cost: \$55,000

Letters of Intent to File a CON Application

UM Shore Health Systems, Inc. – (Talbot County)

Relocation and replacement of the UM Shore Medical Center at Easton. The proposed project will involve construction of a 116-bed replacement hospital (106 acute care beds and ten rehabilitation beds) to be located at 10000 Longwoods Road in Easton.

Pre-Application Conference

UM Shore Health Systems, Inc. – (Talbot County)

November 15, 2022

Request for Project Changes After CON Approval

Adventist Healthcare Shady Grove Medical Center – (Montgomery County) – CON Docket No. 20-15-2443

A change in the project cost and performance requirements (necessary because of a significant change in the project implementation plan) for an expansion and renovation project authorized for this Rockville general hospital on April 15, 2021. The hospital is requesting an increase in total authorized project expenditure from \$180,011,359 to \$247,657,497 (37.6%) and a change in the performance requirements to allow a multiphase construction plan with multiple contracts.

CON Application's Withdrawn

Clarkview Surgery Center – (Baltimore County) – Docket No. 22-03-2454

Establishment of an ambulatory surgical facility through the addition of a third operating room at an existing ambulatory surgery center.

Estimated Cost: \$502,390

University of Maryland (UM) Shore Medical Center at Easton – (Talbot County) – Matter No. 18-20-2432

Relocation and replacement of a general hospital.

Estimated Project Cost: \$349,904,500

Determinations of Coverage

- **Ambulatory Surgery Centers**

PG County Endoscopy Center, LLC – (Prince George's County)

Establish an ambulatory surgery center (ASC) with one sterile operating room and two non-sterile procedure rooms within the same physical space currently operated as Greenbelt Urology Institute, LLC, located at 6502 Kenilworth Avenue in Riverdale. The proposed center will operate as a separately licensed and certified ambulatory surgical facility during distinct operating hours. There would be no concurrent or overlapping hours of operation.

- **Acquisition/Change of Ownership**

Peak Healthcare at Chestertown – (Kent County)

Change in the leasehold operator of the above-referenced comprehensive care facility (CCF). Currently the real property is owned by Chestertown MD Propco LLC, while the bed rights and operations of the facility are owned by Chestertown MD Opco LLC. After the transaction, the bed rights and the operations of the facility will be owned by Chestertown Nursing and Rehab, LLC. Ownership of the real property will not change.

Peak Healthcare at Denton – (Caroline County)

Change in the leasehold operator of the above-referenced CCF. Currently the real property is owned by Denton MD Propco LLC, while the bed rights and operations of the facility are owned by Denton MD Opco LLC. After the transaction, the bed rights and the operations of the facility will be owned by Denton Nursing and Rehab, LLC. Ownership of the real property will not change.

Peak Healthcare at The Pines – (Talbot County)

Change in the leasehold operator of the above-referenced CCF. Currently the real property is owned by Easton MD Propco LLC, while the bed rights and operations of the facility are owned by Easton MD Opco LLC. After the transaction, the bed rights and the operations of the facility will be owned by Pines Nursing and Rehab, LLC. Ownership of the real property will not change.

Peak Healthcare at Hartley – (Worcester County)

Change in the leasehold operator of the above-referenced CCF. Currently the real property is owned by Pocomoke City MD Propco LLC, while the bed rights and operations of the facility are owned by Pocomoke City MD Opco

LLC. After the transaction, the bed rights and the operations of the facility will be owned by Hartley Nursing and Rehab, LLC. Ownership of the real property will not change.

Sagepoint Nursing & Rehabilitation Center, Inc. – (Charles County)

Acquisition of the above-referenced (CCF). Currently the real property is owned by Sagepoint Real Estate, the bed rights are owned by Charles County Nursing and Rehabilitation Center, Inc., and the operator of the CCF is Sagepoint Nursing and Rehabilitation Center. Post-transaction, the real assets will be owned by Chapman Property LLC, the bed rights will be owned by Chapman Operator, LLC, and the operator of the facility will be Chapman Operator, LLC.

Purchase Price: \$28,200,000

Vindobona Nursing & Rehabilitation Center – (Frederick County)

Acquisition of the above-referenced CCF), Currently both the real property and bed rights are owned by Vindobona Realty Group LLC and the facility is operated by Vindobona Operating Group LLC. Post-transaction, the real assets and bed rights will be owned by 6012 Jefferson Boulevard Propco LLC and the CCF will be operated by 6012 Jefferson Boulevard Opco LLC. The CCF will be operated as Autumn Lake at Braddock Heights.

Purchase Price: \$7,270,000

Clearway Surgery Center of Belair, LLC – (Harford County)

The ownership of this ASC is being restructured. The ASC is currently owned by KURE Pain New Co., LLC (KURE). A 20% ownership share will be acquired by Rajesh Jari, M.D. (15%) and Eric Finkelstein, M.D. (5%), both of whom are practitioners at the center.

Surgical Specialty Center of Mid-Atlantic, LLC – (Montgomery County)

The ownership of this ASC is being restructured. Aligned Orthopedic Partners/USP Surgery Centers Mid-Atlantic, L.L.C., described as “a newly created joint venture ownership entity” will, post-transaction, have a 72% ownership share in the ASC, replacing the 36% ownership currently held by USP Maryland, Inc. and the 36% ownership share currently held by ASC Ortho Management Company, LLC. The balance of the ownership shares will continue to be held by 12 physician practitioners.

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

Adventist HealthCare White Oak Medical Center – (Montgomery County)

Temporary delicensure of 10 acute psychiatric beds effective November 17, 2023

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

St. Joseph’s Nursing Home (Baltimore County)

Transaction: Separation of nursing home operations from the convent and other charitable organizations.

CURRENT

Owner of the real property, bed rights, and operating rights: Sisters Servants of Mary Immaculate, Inc.

POST-TRANSACTION

Owner of the real property and bed rights: Sisters Servants of Mary Immaculate, Inc.

Operator: St. Joseph’s Nursing Home, Inc.

Purchase price: \$1.00

Additional information: The CCF has a bed capacity of 44 beds and is located at 1222 Tugwell Drive in Catonsville. The facility has a composite score of five stars (much above average quality of care) on the CMS Nursing Home Compare Five-Star Quality Rating System, based on the most recent quarterly refresh of scores on November 2, 2022.

Commission staff notes that St. Joseph’s Nursing Home is not currently in compliance with its Memorandum of Understanding (MOU) with Medicaid. Although the facility has met the notification requirements for an acquisition, its current MOU performance falls below the required percentage and would probably fail to meet the requirements

for a CON review under the State Health Plan General Standard on Medical Assistance Participation [COMAR 10.24.20.05A(2)].

Cadia Healthcare Hyattsville (Prince George’s County)

Transaction: Acquisition of assets

CURRENT

Owner of the real property and bed rights: Sabra Health Care Northeast, LLC

Operator: Wye Oak Healthcare of Hyattsville LLC

POST-TRANSACTION

Owner of the real property and bed rights: Hyattsville MD Propco LLC

Operator: Complete Care at Hyattsville LLC

Purchase price: \$93,000,000

Additional information: The 280-bed CCF is located at 4922 Lasalle Road in Hyattsville. The facility has a composite score of four stars (above average quality of care) on the CMS Nursing Home Compare Five-Star Quality Rating System, based on the most recent quarterly refresh of scores on November 2, 2022. The facility has an MOU with Medicaid and its level of Medicaid service complies with the levels required by the MOU.

The CCFs, in and outside of Maryland, that are owned or operated by the acquiring entities have below average ratings (composite scores of less than three stars, based on the most recent quarterly refresh of scores on November 2, 2022) on the CMS Nursing Home Compare Quality Rating System. One facility, Complete Care at Berkshire, located in Reading, Pennsylvania, is also flagged by CMS for Resident Abuse. The track record of the persons 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)].

Cadia Healthcare Springbrook (Montgomery County)

Transaction: Acquisition of assets

CURRENT

Owner of the real property and bed rights: Sabra Health Care Northeast, LLC

Operator: Wye Oak Healthcare of Springbrook LLC

POST-TRANSACTION

Owner of the real property and bed rights: Silver Spring MD Propco LLC

Operator: Complete Care at Springbrook LLC

Purchase price: \$22,000,000

Additional information: This 93-bed CCF is located at 12325 New Hampshire Avenue in Silver Spring. The facility has a composite score of five stars (much above average quality of care) on the CMS Nursing Home Compare Five-Star Quality Rating System, based on the most recent quarterly refresh of scores on November 2, 2022. The CCF does not have an MOU with Medicaid.

As previously noted, the CCFs, in and outside of Maryland, that are owned or operated by the acquiring entities have below average ratings (composite scores of less than three stars, based on the most recent quarterly refresh of scores on November 2, 2022) on the CMS Nursing Home Compare Quality Rating System. Complete Care is also flagged by CMS for Resident Abuse. The track record of the persons 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)]

Cadia Healthcare Wheaton (Montgomery County)

Transaction: Acquisition of assets

CURRENT

Owner of the real property and bed rights: Sabra Health Care Northeast, LLC

Operator: Wye Oak Healthcare of Wheaton LLC

POST-TRANSACTION

Owner of the real property and bed rights: Wheaton MD Propco LLC

Operator: Complete Care at Wheaton LLC

Purchase price: \$20,100,000

Additional information: This 116-bed CCF is located at 4011 Randolph Road in Silver Spring. The facility has a composite score of four stars (average quality of care) on the CMS Nursing Home Compare Five-Star Quality Rating System, based on the most recent quarterly refresh of scores on November 2, 2022. The CCF does not have an MOU with Medicaid.

As previously noted, the CCFs, in and outside of Maryland, that are owned or operated by the acquiring entities have below average ratings (composite scores of less than three stars, based on the most recent quarterly refresh of scores on November 2, 2022) on the CMS Nursing Home Compare Quality Rating System. Complete Care is also flagged by CMS for Resident Abuse. The track record of the persons 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)]

Cadia Healthcare Annapolis (Anne Arundel County)

Transaction: Acquisition of assets

CURRENT

Owner of the real property and bed rights: Sabra Health Care Northeast, LLC

Operator: Wye Oak Healthcare of Annapolis LLC

POST-TRANSACTION

Owner of the real property and bed rights: Annapolis MD Propco LLC

Operator: Complete Care at Annapolis LLC

Purchase price: \$22,000,000

Additional information: This 97-bed CCF is located at 900 Van Buren Street in Annapolis. The facility has a composite score of two stars (below average quality of care) on the CMS Nursing Home Compare Five-Star Quality Rating System, based on the most recent quarterly refresh of scores on November 2, 2022. The CCF does not have an MOU with Medicaid.

As previously noted, the CCFs, in and outside of Maryland, that are owned or operated by the acquiring entities have below average ratings (composite scores of less than three stars, based on the most recent quarterly refresh of scores on November 2, 2022) on the CMS Nursing Home Compare Quality Rating System. Complete Care is also flagged by CMS for Resident Abuse. The track record of the persons 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)]

Cadia Healthcare Hagerstown (Washington County)

Transaction: Acquisition of assets

CURRENT

Owner of the real property and bed rights: Sabra Health Care Northeast, LLC

Operator: Wye Oak Healthcare of Hagerstown LLC

POST-TRANSACTION

Owner of the real property and bed rights: Hagerstown MD Propco LLC

Operator: Complete Care at Hagerstown LLC

Purchase price: \$18,900,000

Additional information: This 172-bed CCF is located at 14014 Marsh Pike in Hagerstown. The facility has a composite score of one star (much below average quality of care) on the CMS Nursing Home Compare Five-Star Quality Rating System, based on the most recent quarterly refresh of scores on November 2, 2022. The facility has an MOU with Medicaid and its level of Medicaid service complies with the levels required by the MOU.

As previously noted, the CCFs, in and outside of Maryland, that are owned or operated by the acquiring entities have below average ratings (composite scores of less than three stars, based on the most recent quarterly refresh of scores on November 2, 2022) on the CMS Nursing Home Compare Quality Rating System. Complete Care is also flagged by CMS for Resident Abuse. The track record of the persons 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)]

Status of Projects Docketed for More Than 90 Days Without Issuance of a Staff Report or Recommended Decision [COMAR 10.24.01.09E(1)]

Franklin Square Medical Center – Introduce Liver Transplantation Services - Docket No. 17-03-2406

A Reviewer has been appointed in this contested case and asked the applicant to update its CON application to reflect changes in national organ allocation policies adopted since submission and docketing of the application and any other relevant updates. The updated application was received in November, 2022.

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

The applicant requested a stay in the review of this application and has informed MHCC that it plans to submit a revised application for continued review of the project with the objective of obtaining a positive opinion from HSCRC on the project's financial feasibility and long-term viability. A Reviewer has been appointed in this case for which interested party comments have been filed.

Physicians Surgery Center of Frederick – Establishment of an Ambulatory Surgical Facility through the Addition of Two Operating Rooms - Docket No. 21-10-2451

The Reviewer appointed in this contested case is currently drafting a Recommended Decision.

CENTER FOR HEALTH INFORMATION & INNOVATIVE CARE DELIVERY

Health Information Technology Division – Nikki Majewski, Division Chief

Telehealth Study

The MHCC Telehealth Recommendations Report (recommendations report) and the National Opinion Research Center Technical Findings Report were shared with stakeholders. About 10 comment letters were received; select changes were made to the recommendations report. The recommendations provide a framework for future telehealth legislation. The telehealth study was completed in accordance with Chapter 70/House Bill 123 and Chapter 71/Senate Bill 3, *Preserve Telehealth Access Act of 2021*.

Interstate Telehealth Expansion Study

Study activities are underway, including an environmental scan of cross-state licensing policies for telehealth. A workgroup will convene in the first quarter (Q1) of 2023 to deliberate on the benefits, risks, opportunities, and barriers to interstate telehealth. Westat was competitively selected to complete the study activities. Recommendations for expanding interstate telehealth are due to the House Health and Government Operations by December 1, 2023.

Prescription Drug Reporting

Dispensers shared considerations on potential data elements for reporting noncontrolled prescription drugs (non-CDS). Feedback was used to inform a technical discussion on data submission standards during the December 12th meeting of the non-CDS workgroup. Staff reviewed a draft Request for Proposal (RFP) prepared by CRISP that seeks a technology vendor to support implementation of the requirements in Chapter 296/House Bill 1127, *Public Health – State Designated Exchange – Health Data Utility* (2022). CRISP anticipates releasing the RFP around the end of the year.

Health Data Utility (HDU) Framework

Drafting of an outline for the *HDU Framework* (framework) has begun. The outline takes into consideration input from a National Advisory Council consisting of 15 representatives from states with advanced HIEs in addition to takeaways from an HIE roundtable series convened earlier this year and select interviews with state health departments. Civitas Networks for Health was competitively selected to guide development of the framework that will include uses cases that support HDU transformation activities in Maryland and other states.

Electronic Advance Directives

Promotion activities for the advance directives information sheet (flyer) continue. The flyer overviews the value of advance care planning and options for health care consumers to create and share their electronic advance directive. State agencies, CRISP, and certain provider organizations have linked to the online version of the flyer located on MHCC's website. Chapter 312/Senate Bill 824, *Health - Accessibility of Electronic Advance Care Planning Document* (2022) requires MHCC to coordinate accessibility of electronic advance care planning documents in the State.

Health IT Questionnaires

An analysis of data obtained from health IT questionnaires completed by FQHCs and nursing homes in the State is progressing. The questionnaires inquired about use of health IT, including electronic health records (EHRs) for social needs screening and referrals. Findings will be used to build health IT awareness among FQHCs and inform best practices to support clinical and public health.

Electronic Data Interchange (EDI)

A summary of findings from the 2022 EDI Progress Report was completed. Payers with annual premiums exceeding \$1 million in Maryland are required by COMAR 10.25.09, *Requirements for Payers to Designate Electronic Health Networks*, to submit census level information on HIPAA administrative transactions.

Cybersecurity

The *Cybersecurity Preparedness Self-Assessment Questionnaire* (questionnaire) was finalized. The questionnaire was developed in 2017 and has been updated to help practices evolve approaches to cybersecurity to meet new and evolving threats. The questionnaire includes select elements from the National Institute of Standards and Technology Cybersecurity Framework to help users identify potential gaps in cybersecurity and prioritize areas for improvement.

HIE Privacy and Security Regulations

A staff and AAG review of proposed changes to COMAR 10.25.18, *Health Information Exchanges: Privacy and Security of Protected Health Information* (regulations) was completed. Post & Schell, P.C. (contractor) was competitively selected to propose changes that modernize the regulations and align them with the *21st Century Cures Act: Interoperability, Information Blocking*, and the ONC Health IT Certification program final rule. Work is underway to develop draft regulations to support State legislation passed by the Maryland General Assembly in 2021 and 2022. Draft amendments to the regulations will be reviewed by stakeholders during Q1 of 2023.

Preauthorization and Advance Directives Regulations

The final amendments to COMAR 10.25.17, *Benchmarks for Preauthorization of Health Care Services*, were posted in the Maryland Register. The formal comment period for amendments to COMAR 10.25.19, *State Recognition of an Electronic Advance Directives Service*, and criteria for State Recognition of an electronic advance directives service concluded without comments. Amendments align with Chapter 312/Senate Bill 824 and will be presented for final action at the December Commission meeting.

Innovative Care Delivery Division – Melanie Cavaliere, Division Chief

Primary Care Workgroup

The Primary Care Workgroup (workgroup) convened an initial meeting to discuss workgroup key activities and reporting, the primary care landscape in the State, and similar primary care initiatives in other states. Chapter 667/Senate Bill 734 *Maryland Health Care Commission – Primary Care Report and Workgroup* (2022) requires MHCC to convene the workgroup and report on ways to improve quality and access to primary care services annually. The law requires the workgroup to discuss increasing health care equity, and ways to avoid increasing costs to patients and the health care system. The workgroup is scheduled to convene in January.

Practice Transformation Grant Activities

Development of practice assessments and transformation training are underway by the grantee, MedChi Care Transformation Organization (CTO), for the 31 practices enrolled in the *Advancing Practice Transformation in Ambulatory Practices* (APT) program. Assessments will allow the CTO to track practices' transformation progress in the APT program. The assessment and training framework were informed by the Centers for Medicare & Medicaid Services' Transforming Clinical Practice Initiative practice transformation modules. All 31 practices have completed the initial transformation training module and 24 completed the second module. The APT includes seven modules. Outreach and awareness building activities for Round 2 of the APT program continue.

Maryland Primary Care Program Advisory Council

The Maryland Primary Care Program (MDPCP) Advisory Council (council) provided the Program Management Office with comments on the draft *2021 MDPCP Annual Report* (report) to the Center for Medicare & Medicaid Innovation (CMMI). The report includes program highlights; ways CMMI can improve operations of the MDPCP; proposed utilization and quality measures for purposes of the Performance Based Incentive Payment; and recommendations on components of the MDPCP implementation that are appropriate for delegation to the State. The council was notified of Q1 2023 meetings, planning is underway for the January meeting.

Practice Roundtable

Planning activities are advancing for a practice health equity symposium (symposium) targeted to occur in Q1 2023. The symposium is being developed in collaboration with members of the Health Equity Roundtable and will address health equity challenges, such as identifying social resources for patients and patterns of need in the community for small, independent practices.

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. Hospice facility profiles and jurisdictions were updated with data from the MHCC CY2021 hospice survey. Additional enhancements and updated features are underway and routine updates and maintenance are ongoing. Staff continues 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 November (2,370 users) compared to October (4,427 users). The Maryland Public Television promotional campaign ended October 31, explaining the significant drop in users the following month. 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 85 social media posts in November. Topics included National Hospice and Palliative Care month, National Family Caregivers month, 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.

Staff developed an advertisement to place in the Baltimore County Department of Aging’s annual Community Resources 2023 Guide. This guide is a regional directory printed in partnership with the Baltimore City Government Division of Aging and the Baltimore County Commission on Disabilities. It is distributed all year at senior centers, libraries, hospitals, doctors’ offices, and other relevant locations.

Hospital Quality Initiatives – Courtney Carta

Workplace Violence Public Awareness Campaign

SB 700 requires the Maryland Department of Health to develop a public awareness campaign and dissemination plan geared toward preventing workplace violence in healthcare settings. MDH requested that MHCC take the lead on this project. MHCC facilitated three workgroup meetings consisting of industry representatives to develop a draft campaign and recommendations. The report was submitted on December 1.

Healthcare Associated Infections – CLABSI Audit

The coronavirus pandemic (COVID-19) has had a serious impact on Maryland hospitalizations, affecting processes and patient populations. Staff are working closely with AGS to conduct an audit to assess the impact of COVID-19 on the incidence of central-line-associated bloodstream infections (CLABSI) in Maryland hospitals and data accuracy and completeness of CLABSI coding practices. Staff hosted an informational webinar for hospitals to explain the methodology and next steps. The auditing process will occur in early 2023.

Leapfrog Hospital Safety Grades

The Leapfrog Group assigns letter grades (A-F) to hospitals based on performance on various patient safety measures. Grades are assigned twice annually. Maryland hospital performance was similar to the previous grading cycle (Spring 2022) and about 75% of hospital grades remained unchanged. Compared to national data, proportionally, MD has fewer A's, D's, and F's. Maryland has more B's and the proportion of C's is about the same.

Letter Grade	National Fall 2022	Maryland Fall 2022 n=41	Maryland Spring 2022 n=41
A	30%	8 (20%)	7 (17%)
B	28%	17 (41%)	15 (37%)
C	36%	15 (37%)	17 (41%)
D	6%	1 (2%)	2 (5%)
F	1%	0 (0%)	0 (0%)

Long Term Care and Health Plan Quality Initiatives—Stacy Howes

Nursing Home Family Experience of Care Survey

For the 2022 survey, the second letter inviting individuals to complete the survey online has been mailed. Any individuals who do not complete the survey online, will be invited to fill out a paper survey, and paper surveys will be mailed in late November or early December. The current contractor, Market Decisions Research, is in their final year of the current contract. A new RFP has been submitted to procurement.

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

Data collection for the 2022-2023 flu season is open for all long-term care facilities. National Influenza Vaccination Week was recognized the week of December 5 – 9. Long term care facilities received reminder messages via

GovDelivery of the importance of educating and encouraging staff to receive their annual influenza vaccine, along with links to the Maryland [FluWatch](#) and CDC promotional resource [toolkits](#).

Assisted Living Quality Analysis SB531 Workgroup

SB531 requires the MHCC to conduct an analysis of the quality of care in assisted living (AL) facilities with fewer than 10 beds. The first workgroup was held on October 31, and the group discussed the current state of assisted living facilities and provided feedback on the proposed survey that will be sent to small assisted living providers in an effort to include them in the process. The second workgroup will be December 5, and OHCQ, the state Ombudsman, and Medicaid will provide presentations.

Health Plan Quality Initiatives

2021 data collection is complete and has been uploaded to the Quality Reporting website. A new contract has been awarded to HealthData Company, and the kickoff meeting for new contract was held on November 14. Data collection for the 2022 measurement year will begin in December 2022.

Outpatient Quality Initiative—Mariama Gondo

Outpatient Quality Initiative

In August, staff launched the 2021 enhanced freestanding ambulatory surgical facility (FASF) survey. The FASF survey was administered to 347 facilities that were reported as operational in the calendar year 2021. The survey officially closed October 7, 2022, but staff continue to follow up with facilities with missing surveys.

Health Equity Initiative

Staff continues to work on building the health equity inventory that stems from the work of the 2021 House Bill 309/Senate Bill 565. The inventory will be an interactive feature that allows consumers and consumer advocates to search by variables (jurisdictions, types of services, etc.) to find which services support vulnerable populations across the state.