
Joint COVID-19 Response Legislative Workgroup

Teleconference Meeting

**April 15, 2020
10:00 a.m.**

Agenda Overview

(10:00 a.m. - 10:02 a.m.)

- I. Briefing from the Maryland Health Care Commission
- II. Briefing from Maryland Dept. of Health
- III. Briefing from the Maryland Office of the Attorney General
- IV. Briefing from the University System of Maryland
- V. Closing Remarks

Briefing from MD Health Care Commission

(10:02 a.m. - 10:30 a.m.)

- Andrew N. Pollak, MD, Chairman
- Ben Steffen, Executive Director
- Limited Questions and Answers
- Contact:

Megan Renfrew

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Maryland Health Care Commission Actions in response to COVID-19

*A presentation for the Joint Covid-19 Response Legislative Workgroup
April 15, 2020*

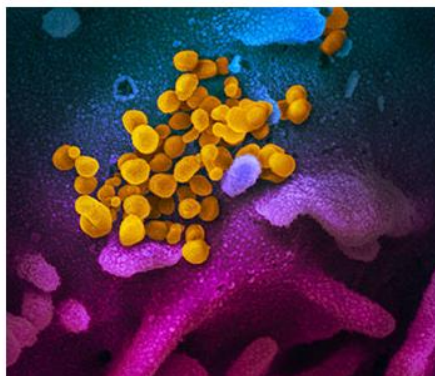
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Guidance from The Maryland Health Care Commission



This page provides information about resources provided by the Maryland Health Care Commission related to Coronavirus Disease 2019 (COVID-19) and regulatory actions taken by the Commission in response to COVID-19. The central source for information about COVID-19 in Maryland is <https://coronavirus.maryland.gov/>, which is maintained by the Maryland Department of Health. This page supplements the Maryland Department of Health's page with information that is specific to the Maryland Health Care Commission.

Certificate of Need and Exemptions

[Emergency CONs Approved](#)

Guidance for Health Facilities and Programs

[Guidance Regarding Emergency CONs for Comprehensive Care Facilities \(Nursing Homes\)](#)

[Guidance Regarding Emergency CONs for Hospitals](#)

Bulletin 20-03: Standards for Certificates of Ongoing Performance for cardiac surgery and percutaneous coronary intervention (PCI) procedures

Telehealth

- Broadening Access to Telehealth During a Public Health Emergency
- Virtual telehealth resource center
- Telehealth adoption readiness tool
- Webinars
- Other telehealth resources

Adding Temporary Capacity Health Facility Capacity

- OHCQ and MHCC agree in March on streamlined approach to adding capacity= expediency + clear documentation pathway + use existing regulatory authorities:
 - For hospitals, key discriminator does the proposed space contain bed headwalls and attachments for medical gases
 - Yes: OHCQ will issue a temporary license for the space through the State of Emergency + 30 days
 - No: MHCC will issue an emergency CON under the approval of the Executive Director and confirmed by the Commission at the next regular meeting.
 - To date MHCC has issued Emergency CON authorizing ~~ 850+ beds
 - OHCQ issued temporary licenses for approximately 1,500 beds
 - Does not include BCC or other Alternate Care Sites

What is a Hospital Headwall System?



Emergency CON for Hospitals

Guidance on Emergency CONs for Hospitals (3/21/20) and Updated on 4/13/2020

No CON if bed headwalls already exist; OHCQ licensure only

Site specific CONs and Field Hospitals

- Site-Specific :Approximately 1-day review and approval of applications to temporarily expand beds.
 - 18 emergency CONs approved (12 locations)
 - 850+ beds, delivery dates range from immediate to July, most beds available in April or May.
 - MHCC CON Order now requires applicant to notify MHCC and OHCQ when the beds are ready for operation
- Field Hospitals: Statewide emergency CON for field hospitals extremely fluid up to 36 locations planned
 - MHCC issued guidance on 04/13/2020 authorizing a general emergency CON for field hospitals. Hospitals must notify MHCC and OHCQ before the tents become operational

What we have learned and looking ahead on hospital capacity

- Hospitals' priority is to centralize operations at existing locations (available staff may be the critical path)
 - Bring physical bed space at the hospital back into operation through temporary licensure
 - Repurpose physical space at hospital that was never bed space but could be converted quickly administrative space, conference rooms, etc
 - Repurpose adjacent MOBs and other adjacent building
 - Consider Field Hospitals on the facility site
 - Move closed facilities back into operation, more challenging – Laurel and Takoma Park
- Remote sites are more challenging due to staffing and clinical management challenges.
- More physical space may still be available at some hospitals.
- Remote sites may be needed and should be established to the extent possible
- Need to consider possible Wave 2 in the fall of 2020

Emergency CON for Nursing Homes

Guidance on Emergency CONs for Nursing Homes (4/4/20)

- 2 emergency CONs approved Up to 51 beds, available in April.
- MHCC, OHCQ. and the industry have been cautious about allowing and adding capacity
 - Alternate sites operated by hospitals – must be a building or wing – would require temporary delicensure of the building as a nursing home
 - Creation of COVID-19 positive wing or building
 - Creation of quarantine wing for newly admitted patients or patients discharged
- Moving forward NHs have a role to play as stepdown facilities for COVID-19 patients, but must be done in a way to not compromise other residents.
 - Some patients may require long-term convalescent care

Telehealth Virtual Resource Center

Resources for providers including:

- Telehealth Readiness Assessment (TRA) Tool
- Technical Assistance Documents, including information on interacting with patients, HIPAA, professional liability, and reimbursement
- Webinars

Other MHCC Activities

- BULLETIN 20-03: Standards for Certificates of Ongoing Performance for cardiac surgery and percutaneous coronary intervention (PCI) procedures (3/31/2020)
- Surveying Ambulatory Surgery Centers
- Delaying Routine Surveys

Description of the Maryland Health Care Commission

The Maryland Health Care Commission is an independent regulatory agency whose mission is to plan for health system needs, promote informed decision-making, increase accountability, and improve access in a rapidly changing health care environment by providing timely and accurate information on availability, cost, and quality of services to policy makers, purchasers, providers and the public.

The 15 Commissioners are appointed by the Governor.

Website: <http://mhcc.maryland.gov/>

Social Media: [Twitter](#), [Facebook](#), and [LinkedIn](#)

Contact Information

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Briefing from MD Dept. of Health

(10:30 a.m. - 11:00 a.m.)

- Presentation from Deputy Secretary Gregg Todd
- Limited Questions and Answers
- Contact:

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Briefing from MD Office of Attorney General

(11:00 a.m. - 11:15 a.m.)

- Presentation from Brian E. Frosh, Attorney General on Price Gouging
- Limited Questions and Answers
- Contact:

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Briefing from University System of MD

(11:15 a.m. - 11:30 a.m.)

- Presentation from Jay A. Perman, MD, Chancellor
- Limited Questions and Answers
- Contact:

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Closing Remarks

- Member Comments
- Next Meeting
 - Next meeting To Be Determined
 - Plan to meet each Wednesday at 10 a.m.