

# Neonatal Intensive Care Unit Services (NICU)

- NICU is a Covered Clinical Service under MCL 333.22203
- "Neonatal intensive care unit" or "NICU" means a specially designed, equipped, and staffed unit of a hospital which is both capable of providing neonatal intensive care services and is composed of licensed hospital beds designated as NICU. This term does not include bassinets or special newborn care bassinets.

# Initiate NICU Service (Section 4)

- Existing hospital beds are designated as NICU
- The planning are must have a need for at least 15 beds
- The new unit must be at least 15 NICU beds
- The applicant hospital must have 2000 (metro) or 600 (rural/micro) live births
- The bed need is established under Section 3, based on low birth weight rates

# Other Methods to Increase Beds

- Expand existing NICU service (Section 5)
  - Request new beds from Department Inventory
  - Add new beds based on average daily census (ADC) and occupancy data
- Relocate from existing NICU service
  - Relocate only designation of NICU
  - Need to maintain minimum size of 15 beds
- Existing hospital beds are designated as NICU

# Project Delivery Requirements

- At the time of application submission, applicants certify to provide NICU service under these terms and conditions
  - Appropriate utilization by all people based on clinical indicators & not deny services based on payment source or ability to pay
  - Maintain data on payment sources, participate in Department's data collection network

# Project Delivery Requirements

- Provide these specialized services
  - Coordinate services with other providers (OB, perinatal, neonatal & pediatric) in the planning area
  - Develop & maintain follow up procedures for NICU graduates (discharged NICU patients)
  - A system for discharge planning
  - For a hospital receiving NICU transfers, maintain outreach program with case findings and social support, and a neonatal transport system

# Project Delivery Requirements

- Provide these specialized staffing
  - Board certified neonatologist as Director
  - On-site physician consulting services in Cardiology, Ophthalmology, Surgery & Neurosurgery
  - Coordinate & participate in professional education for perinatal and pediatric providers in the planning area
  - Develop plans for providing highly specialized neonatal/pediatric services

# CON Compliance – MCL 333.22247

- **Monitoring compliance with certificates of need; investigating allegations of noncompliance; violation; sanctions; refund of charges.**

If the department determines that the recipient of a CON under this part is not in compliance with the terms of the certificate of need or is in violation of this part, the department shall do 1 or more of the following:

- (a) Revoke or suspend the certificate of need
- (b) Impose a civil fine of not more than the amount of the billings
- (c) Take any action authorized under this article for a violation, including, but not limited to, issuance of a compliance order under section 20162(5)
- (d) Request enforcement action under section 22253
- (e) Take any other enforcement action authorized by this code
- (f) Publicize or report the violation or enforcement action
- (g) Take any other action as determined appropriate by the department

(3) A person shall not charge to, or collect from, another person or otherwise recover costs for services provided or for equipment or facilities that are acquired in violation of this part. If a person has violated this subsection, in addition to the sanctions provided under subsection (2), the person shall, upon request of the person from whom the charges were collected, refund those charges, either directly or through a credit on a subsequent bill.