

**SUMMARY OF CERTIFICATE OF NEED (CON) REVIEW STANDARDS PROPOSED CHANGES
RECEIVED FINAL ACTION BY THE CON COMMISSION ON 4/30/08
CURRENTLY UNDER 45-DAY REVIEW BY THE JOINT LEGISLATIVE COMMITTEE AND GOVERNOR**

Computed Tomography (CT) Scanner Services

The proposed language change includes an exemption for non-diagnostic intraoperative guidance tomographic units (such as the O-arm) from the definition of "CT Scanner."

Megavoltage Radiation Therapy (MRT) Services/Units

The proposed language changes include the following:

1. Added a definition for proton beam therapy (PBT) for purposes of Section 10.
2. Added language that provides requirements to initiate an MRT service providing proton beam therapy. The provisions include:
 - The applicant shall be a single legal entity authorized to do business in Michigan.
 - The applicant shall be a statewide collaborative consisting of a majority of all Michigan hospital owned MRT services with more than 30,000 equivalent treatment visits (ETVs), and more than one planning area shall be represented as a part of the collaborative. The ETVs shall be those from the list published by the Department on April 30, 2008.
 - The applicant shall provide documentation of its process, policy, and procedures that allows any other interested entities to participate in the statewide collaborative and the PBT services it offers.
 - The applicant shall provide an implementation plan for financing and operating the proposed PBT service which includes how physician staff privileges, patient review, patient selection, and patient care management shall be determined.
 - PBT services shall be provided to adult and pediatric patients.
 - The PBT service shall have simulation capabilities available for use in treatment planning.
 - An MRT service shall not participate in more than one statewide collaborative to provide PBT.
 - PBT services shall be exempt from certain sections of the standards.
 - Additional project delivery requirements for PBT services have been included: 1) All patients treated at the approved PBT service shall be evaluated for potential enrollment in research studies focusing on the applicability and efficacy of using proton beam therapy to treat site specific cancer tumors. The reports shall be shared with the CON commission. 2) The PBT service will provide, on an annual basis, the CON Commission with reports designed to assess the affordability, quality, and accessibility of PBT services in Michigan. 3) An applicant shall be required to report to the Department, on an annual basis, volume related data for its PBT unit.
3. Updated the following project delivery requirement as shown: "~~All MRT treatments shall be performed under the supervision of~~PURSUANT TO a radiation oncologist and at least one radiation oncologist will be IMMEDIATELY AVAILABLE ~~on site at the geographic location of the unit~~ during the operation of the unit(s)." Immediately available is already defined in the standards as "continuous availability of direct communication with the MRT unit in person or by radio, telephone, or telecommunication."
4. Other technical changes.

Nursing Home and Hospital Long-term Care Unit (NH-HLTCU) Beds

The proposed language change exempts HLTCUs from the recently approved 50% limitation for relocation of beds within a planning area from an existing HLTCU to another NH/HLTCU.

Surgical Services

The proposed language changes include the following:

1. Added language under Section 7 that would exempt an existing service with one or two operating rooms which is located in a rural or micropolitan statistical area county from the volume requirements.
2. Clarified language under Section 11, Documentation of Projections.
3. Other technical changes.