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**From:** Katie Whitman-Herzer <katie@quadrantconsultinggroup.org>  
**Sent:** Thursday, July 14, 2016 11:02 AM  
**To:** MDHHS-ConWebTeam  
**Subject:** Written Comments: Proposed CON Review Standards for CT Scanner Services  
**Attachments:** CT Scanner Review\_CMDSSupport.pdf

Submitted on behalf of the Council of Michigan Dental Specialties, attached please find a memo in support of the proposed CON review standards for CT scanner services.

Thank you for your time and attention.

Katie Whitman-Herzer  
Quadrant Consulting Group

# CMDS

Council of Michigan Dental Specialties, Inc.  
230 North Washington Square, Suite 100  
Lansing, MI 48933

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## MEMORANDUM

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**TO:** MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES

**FROM:** HEATHER GIETZEN, DMD, MS  
PRESIDENT OF COUNCIL OF MICHIGAN DENTAL SPECIALTIES, INC.

**SUBJECT:** PROPOSED CON REVIEW STANDARDS FOR CT SCANNER SERVICES

**DATE:** JULY 14, 2016

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As President of the Council of Michigan Dental Specialties, Inc. I write to thank you for reviewing the necessity of subjecting the dental CT to continued CON regulation and encourage you to conclude continued regulation is unwarranted.

The Council of Michigan Dental Specialties (CMDS) is an association of the seven dental specialties: Oral & Maxillofacial Surgery; Orthodontics; Prosthodontics; Periodontics; Pediatric Dentistry; Endodontics and Oral Pathology. There are approximately 1,100 dental specialist or roughly 15% of the total number of licensed dentists in Michigan. The Council is committed to the highest quality of dental care and the highest degree of patient safety.

Cone-beam imaging equipment (dental CT) is quickly becoming the standard of care in the dental profession. Dental CT improves patient safety by producing greatly enhanced images compared to traditional x-ray, allowing the dentist to better locate nerves and sinus cavities.

Michigan is one of only two states in the nation that regulate the dental CT under CON. In this situation, the Certificate of Need process is unwarranted and delays or denies best dental practices designed to enhance patient safety. If removed from CON regulation, the dental CT would continue to be regulated by the Michigan Radiation Safety Section in the Department of Licensing and Regulatory Affairs; thus, assuring continued patient safety.

CMDS goes on record in support of this proposed CON review standards for CT scanner services.

Thank you for your consideration.

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**From:** Bill Sullivan <bsullivan@MichiganDental.org>  
**Sent:** Friday, July 08, 2016 11:17 AM  
**To:** MDHHS-ConWebTeam  
**Subject:** Michigan Dental Association comments  
**Attachments:** Scanned from a Xerox Multifunction Printer.pdf

Please accept these written comments for the Thursday, July 14 public hearing of the CON Commission. Thank you.

Bill Sullivan, J.D.  
Vice President of Advocacy and Professional Affairs Michigan Dental Association  
3657 Okemos Rd., Ste. 200  
Okemos, MI 48864-3927  
517-346-9405  
bsullivan@michigandental.org

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*Michigan's Oral Health Authority Dedicated to the Public and the Profession*

July 8, 2016

Certificate of Need Commission  
Department of Health and Human Services  
Certificate of Need Policy Section  
Grand Tower Building  
235 S. Grand Ave. 15th floor  
Lansing, MI 48933

Dear Certificate of Need (CON) Commission Chairman and Members,

On behalf of The Michigan Dental Association (MDA) and its 5500 members, I am writing to thank you for your support of our request to remove dental cone beam computed tomography (dental CT) scanners from CON regulation and ask for your continued support when the issue is before you for a final vote in September. It is my understanding that as part of the formal process of making this change, a public hearing has been scheduled for July 14, 2016. Please accept this letter as our formal written comments for that hearing.

The MDA believes that deregulating dental CT scanners from CON regulation will increase access to quality dental care while maintaining, if not lowering, the cost of dental CT scans. The continued regulation of this equipment by the Michigan Department of Licensing and Regulatory Affairs (LARA), Radiation Safety Section, will ensure continued high quality and safety. By treating this equipment the same as a digital panoramic x-ray unit, you will be creating consistency with LARA and ensuring that patients receive the most appropriate imaging for their circumstance.

Since we have provided studies, data, and arguments to support this position at both the CT Workgroup and CON Commission on multiple occasions, we will not belabor our points. However, if you have any questions about any of the material we have provided in the past or feel that you need additional information, please do not hesitate to reach out.

In closing, the MDA would like to again thank you for your support and ask for your continued support of dental CT deregulation in September.

Sincerely,

A handwritten signature in cursive script that reads "William Sullivan".

William Sullivan  
Vice President of Advocacy and Professional Relations

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**From:** Richard Lindsey <RLindsey@oaklawnhospital.com>  
**Sent:** Thursday, July 21, 2016 2:23 PM  
**To:** MDHHS-ConWebTeam  
**Subject:** Public Comments Relative to Proposed CON Special Care Nursery Regulations  
**Attachments:** Oaklawn Nursery CON Comments 7.21.2016.pdf

Dear Sir or Madam:

Attached please find comments from Oaklawn Hospital CEO/President Ginger Williams relative to the proposed CON Special Care Nursery Regulations. If you have any questions or if I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

Richard C. Lindsey, Jr.  
Executive Director of Development  
and Legislative/Community Affairs  
Oaklawn Hospital  
(269) 789-3904

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July 21, 2016

Certificate of Need Commission  
Department of Health and Human Services  
Certificate of Need Policy Section  
Grand Tower Building  
235 S. Grand Ave. 15th floor  
Lansing, MI 48933

Dear Certificate of Need (CON) Commission Chairman and Members,

It is my understanding that the Department presented proposed modifications to the Certificate of Need Review Standards for Neonatal Intensive Care Services/Beds and Special Newborn Nursing Services at the June CON Commission meeting. Please accept this letter as my formal comments being submitted pursuant to the Notice of Public Hearing on these proposed changes.

First let me say that the intent behind the changes is very much appreciated. As enacted originally, I had some fairly significant concerns and appreciate the Department's attempt to address those concerns. However, I would like to make some suggestions that I believe would help to make these standards slightly more clear. I would suggest the following modifications:

Section 2. Definitions

(w) "WELL NEWBORN NURSERY SERVICES" MEANS PROVIDING THE FOLLOWING SERVICES AND DOES NOT REQUIRE A CERTIFICATE OF NEED:

- (i) THE CAPABILITY TO PERFORM NEONATAL RESUSCITATION AT EVERY DELIVERY;
- (ii) EVALUATE AND PROVIDE POSTNATAL CARE FOR STABLE TERM NEWBORN INFANTS;
- (iii) STABILIZE AND PROVIDE CARE FOR INFANTS BORN AT ~~LESS THAN OR EQUAL TO 35 TO 37 WEEKS' GESTATION~~ WHO REMAIN PHYSIOLOGICALLY STABLE; AND
- (IV) EVALUATE AND PROVIDE CARE FOR INFANTS LESS THAN OR EQUAL TO 35 WEEKS GESTATION WITH TYPICALLY SELF-LIMITED CONDITIONS (E.G., TRANSIENT TACHYPNEA OF THE NEWBORN); AND**
- ~~(iv-v)~~ STABILIZE NEWBORN INFANTS WHO ARE ILL AND THOSE BORN LESS THAN ~~35-34~~ WEEKS OF GESTATION UNTIL THEY CAN BE TRANSFERRED TO A HIGHER LEVEL OF CARE FACILITY.

The genesis for this suggestion lies in the benefit to both the regulated and regulators in providing a standard which is clear and concise and makes it crystal clear when a CON is required. Oaklawn was provided a clarification on October 7, 2014, from Tulika Bhattacharya, Manager CON Evaluation Section, that SCN services applies to certain services "for infants with problems..." The converse should then be true that if infants do not have the identified "problems" then no CON should be required. We think



this was resolved in the e-mail exchange with Ms. Bhattacharya and believe that the suggested modifications set forth have the same clarifying effect.

Thank you very much for your time in considering my request.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ginger Williams', with a large, stylized flourish at the end.

Ginger Williams, MD, FACEP, FACHE  
President and CEO