

NICU CON Standards Workgroup Notes

DATE: March 7, 2012 9:30-noon

LOCATION: Rooms B/C, 1st Floor Capitol View Building, 201 Townsend Street, Lansing

PURPOSE OF THE MEETING

Brenda Rogers clarified that a specific charge for the group had not been established by the CON Commission. In addition to technical changes that will be proposed for revisions, it was the Commission's desire that the group consider if and how perinatal services might be addressed by the CON standards and recommendations for specific changes if changes are deemed appropriate.

PRESENTATION OF PERINATAL CARE IN MICHIGAN

Rose Mary Asman, Department of Family and Community Health, and Trudy Esch, MDCH, presented the history of perinatal regionalization efforts in Michigan and the forthcoming changes in the AAP/ACOG Guidelines for Levels of Care. Their presentation is the result of numerous workgroups with broad representation. The presentation may be found on the CON 2013 meetings website page:

http://www.michigan.gov/mdch/0,4612,7-132-2945_5106_5409_29279-288873--,00.html

The presentation identified the key issues of:

- No regulation of Level II hospitals or Special Care Nurseries in Michigan
- Wide variation in the actual level of care in self-designated Level II hospitals
- Several models of NICUs today (some NICUs employ NICU-designated beds to deliver step-down care, approximately 50% of NICUS also have unlicensed bassinets on the same unit, and others with units split across floors of the hospital)
- Teeth are needed to enforce the perinatal regionalization and Levels of Care recommendations

One of eight perinatal regionalization workgroups focused on issues related to designation, verification and certification. This workgroup developed a proposed process by which hospitals could apply for and receive certification for their appropriate Level of Service. This process would be voluntary, but would be used to encourage hospitals to strive for Level II designation. The perinatal regionalization workgroup suggested that CON was an appropriate partner in this process, and could add the "teeth" since it already regulates Level III NICUs. The actual certification process has not been implemented and requires funding.

DISCUSSION

There was much discussion regarding the need for regulation, the appropriateness and role of CON in improving perinatal regionalization, potential methods under CON, and concerns. Key discussion points included (in no order):

- There currently are not any regulatory bodies that certify or designate hospitals as Level II nurseries in Michigan. While some hospitals that call themselves Level II would meet the new AAP guidelines, there are concerns that some facilities using this term for marketing would not meet the guidelines.
- There are concerns that some hospitals are keeping neonates on ventilators beyond 24 hours, rather than transferring these neonates to a more appropriate facility.
- There was much discussion regarding the definition of planning areas. The planning areas within the perinatal regionalization presentation are based on emergency preparedness agencies, and differ from the current CON Health Service Areas as well as actual geographic referral patterns.

It was clarified that the planning areas defined in the CON standards can be modified, but any modifications would apply to Level III programs also covered under the standards.

- CON is prospective, and therefore would not be applicable to existing Level I or Level II nurseries unless a CON event is triggered (initiation, replacement, acquisition, relocation). It was pointed out that, eventually, most nurseries would fall under CON regulation as a result of such triggers, but that it could take a long time before every program was finally covered by CON.
- Existing nurseries provide services in unlicensed bassinets. The current NICU standards designate licensed medical/surgical beds for NICU beds. If Level I and/or Level II services were to be regulated by CON, a methodology would have to be discussed and established specific to bassinets or beds. Alternately it was suggested that nurseries could be regulated as a CON-covered service rather than as licensed beds.
- The current CON standards for nursing homes include an addendum to address special-needs populations separate from regular nursing home beds. This addendum structure could be explored as a possible model for how nurseries could be integrated into the NICU CON standards.
- CON relies upon established, measureable means to determine “need” of applicants. If nurseries are to be included under CON, appropriate measures will need to be identified.
- The Licensure Division was involved in the perinatology taskforce discussions. It was believed that Licensure perceived CON to be a more appropriate body for regulating nurseries since CON already regulates NICU beds, CON standards are revised every three years, CON is generally faster in making decisions/changes and CON has an established process for making changes through workgroups etc.
- The workgroup concluded that further discussion was warranted to determine if CON should regulate non-NICU nurseries, and how CON might do this, and any resulting recommendations to the CON Commission regarding this issue.

ADDITIONAL INFORMATION FOR FUTURE MEETINGS

The group identified the following needs for additional information for discussion at the next workgroup meetings:

- Payor interest in certification, any current or potential ramifications for payors in terms of reimbursement or changes in cost
- Details on the new AAP/ACOG Guidelines that establish the four Levels of Care for neonates
- A general overview of the current NICU CON standards
- Information regarding past CON compliance activities for NICU
- Additional information on infant mortality statistics in Michigan
- Information regarding the processes used by other CON states that also have a Level II-designation/certification process
- Maps showing existing NICUs and birthing centers, including which hospitals currently self-identify as providing Level II care

Where possible, work group members were encouraged to supply this information to the Department in advance of the next meeting so that it can be made available on the CON meetings website page.

NEXT STEPS

The next meetings will continue to explore if CON is an appropriate vehicle for regulating non-NICU nurseries, and possible recommendations for changes to the CON Standards.

The next work group meetings are scheduled for:

April 22 @ 1pm Capital View Building, Conf. Rms B/C, Lansing

May 17 @ 1pm Capital View Building, Conf. Rms B/C, Lansing

Any person is welcomed to attend. Persons interested in joining the workgroup discussion via phone should contact Brenda Rogers at rogersb1@michigan.gov for call-in information. Please also check the CON Meetings website page for meeting materials.

http://www.michigan.gov/mdch/0,4612,7-132-2945_5106_5409_29279-288873--,00.html