



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

ELIZABETH HERTEL
DIRECTOR

September 4, 2025

TO: Interested Party

RE: Consultation Summary Project Number 2521-LTC - Nursing
Facility Ventilator-Dependent Care Unit (VDCU) Enrollment

Thank you for your comment(s) to the Health Services Administration relative to Project Number 2521-LTC. Your comment(s) has been considered in the preparation of the final publication, a copy of which is attached for your information.

Responses to specific comments are addressed below.

Comment: What is the impetus for new survey requirements in VDCUs? Is there an increased demand for VDCUs or other potential concerns?

Response: When bed certification criteria in Section 2.3 were updated in November 2024 via bulletin [MMP 24-54](#), it inadvertently changed the criteria for VDCU enrollment. Adding these criteria in this section reinstates the standards the Michigan Department of Health and Human Services (MDHHS) requires for VDCU operation. The purpose is not to impose stricter criteria to limit requests for VDCUs but to ensure NFs are able to care for this population.

Comment: Does this policy add new survey requirements for providers looking to operate a VDCU?

Response: This policy does not add new survey requirements, but takes the language previously used in Section 2.3 of the Nursing Facility Coverages chapter, prior to bulletin [MMP 24-54](#), and places it in Section 2.5, the VDCU section of the chapter.

Comment: The section that details requirements for survey performance seems new. Is this referenced elsewhere?

Response: The criteria language is new to this section but derives from previous language requirements that VDCU enrollment has used.

Comment: MDHHS recently updated policy removing survey history for Medicaid certification of skilled nursing facility (SNF) beds. This policy is inconsistent with the department's recent agreement to update Medicaid policy to remove survey history as a prerequisite for recertification for Medicaid of Medicare-only beds. As long as the state's regulatory department – LARA – recognizes the nursing facility (NF) as being in substantial compliance with federal regulations, NFs should be able to both certify both Medicare-only beds and VDCU beds to serve Medicaid beneficiaries.

Response: Bulletin [MMP 24-54](#) updated bed certification criteria for Medicaid-certified beds and its intended purpose was not to update VDCU criteria. VDCU enrollments are a contract between MDHHS and the NF that provide enhanced payments to NFs who operate a specialized unit. Having additional criteria for NFs to meet in order to gain a contract with MDHHS is not inconsistent with the policy in Section 2.3 because VDCUs are specialized.

Comment: We oppose these proposed changes. VDCU beds are vital to the long-term care continuum in the state of Michigan. These units provide a necessary level of care for some of our most medically complex and vulnerable residents who rely on mechanical ventilation.

Response: MDHHS agrees that ventilator-dependent residents are some of the most medically complex and vulnerable residents who need specialized care, which is why we propose maintaining the high standards for facilities that wish to operate a VDCU to ensure the facility has the staff and means to care for these residents.

Comment: Access to Medicaid-certified VDCU beds is already limited. According to current Certificate of Need (CON) data, there is an unmet need of 97 VDCU beds statewide. This gap in capacity makes it more difficult to meet the needs of residents requiring specialized ventilator care. Additional survey requirements discourage new VDCU beds statewide.

Response: Current data for fiscal years 2023 and 2024 show VDCU occupancy at 60.9% and 63.9%, respectively, indicating that there are beds available for ventilator-dependent residents in Michigan's VDCUs. Further, any NF with the proper staffing, expertise and equipment may care for ventilator-dependent residents.

Comment: Survey lookback periods for new VDCU applications—spanning six full quarters—could suppress access to care by disqualifying facilities based on past regulatory history, even when those issues have since been addressed and are not relevant to a facility’s current capacity to safely operate a VDCU.

Response: Thank you for your comment. These survey requirements provide historical data for MDHHS to review to ensure that applying NFs can meet the needs of this specialized population. Former VDCU requirements used an eight full quarters of survey history, so this reduces the lookback period.

Comment: Hospital systems across Michigan are strongly supportive of discharging appropriate patients to VDCUs. These units help relieve pressure on hospital ICUs and provide patients with a more appropriate and cost-effective care setting. Hospital stakeholders consistently express support for both the availability and expansion of VDCU beds across the post-acute care continuum.

Response: This policy does not limit the number of VDCUs or VDCU beds and is not intended to be a barrier to care for this population. MDHHS reiterates that any NF with the proper staffing, expertise and equipment may care for ventilator-dependent residents.

Comment: We are in support of this proposed policy.

Response: Thank you for your comment.

Thank you for your inquiry. We trust that previous responses addressed the concerns and questions noted. If you wish to comment further, send your comments to Dr. Emily Frankman at frankmane@michigan.gov.

Sincerely,

A handwritten signature in black ink that reads "Meghan E. Groen". The signature is fluid and cursive, with the first name "Meghan" being more prominent than the last name "Groen".

Meghan E. Groen, Chief Deputy Director
Health Services