

**MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES (MDHHS)
CERTIFICATE OF NEED (CON) COMMISSION MEETING**

Thursday, June 15, 2023

In-Person Meeting

APPROVED MINUTES

I. Call to Order and Introductions

Chairperson Falahee called the meeting to order at 9:39 a.m.

A. Members present:

James Falahee, Jr., JD, Chairperson
Amy Engelhardt-Kalbfleisch, DO
Debra Guido-Allen, RN
Lorissa MacAllister, PhD
Eric Ferguson, MD
Renee Turner-Bailey
Ashok Kondur, MD

B. Members present and participating remotely:

Donald Haney

C. Members Absent:

Amy L. McKenzie, MD, Chairperson
Justin B. Dimick, MD

D. Department of Attorney General Staff:

Brien Heckman

E. Michigan Department of Health and Human Services Staff Present:

Tulika Bhattacharya
Beth Nagel
Kenny Wirth
Marcus Connolly
Tiffani Stanton

II. Review of Agenda

Motion by Commissioner MacAllister, seconded by Guido-Allen to approve the agenda. All in favor. Motion carried.

III. Declaration of Conflicts of Interests

None.

IV. Review of Minutes of January 26, 2023

Motion by Ferguson, seconded by Commissioner Guido-Allen to approve the minutes as presented. All in favor. Motion carried.

V. Computed Tomography (CT) Informal Workgroup – Final Report & Draft Language

Wirth gave an overview on behalf the Department of the Computed Technology (CT) final report and proposed draft language.

Dr. Michael Ryan was attending via Zoom and provided a summary of the final report of the Computed Technology (CT) Informal Workgroup and proposed draft language.

A. Public Comment

1. Melissa Reitz, McCall Hamilton
2. Dave Walker, Corewell Health

B. Commission Discussion

Discussion followed.

C. Commission Proposed Action

Motion by Commissioner Guido-Allen, seconded by Commissioner Engelhardt-Kalbfleisch to submit draft language to public comment and the JLC. All in favor. Motion carried.

VI. Nursing Home and Long-Term-Care Unit (NH-HLTCU) Informal Workgroup – Final Report & Draft Language

Wirth gave an overview on behalf of the Department of the Nursing Home and Hospital Long-Term-Care Unit (NH-HLTCU) final report and proposed draft language.

Donald Haney was attending via Zoom and provided a summary of the final report of the Nursing Home and Hospital Long-Term-Care Unit (NH-HLTCU) work group and proposed draft language.

A. Public Comment

1. Rich Farran, HCAM

B. Commission Discussion

Discussion followed.

C. Commission Action

Motion by Commissioner Ferguson, seconded by Commissioner Guido-Allen to submit draft language to public comment and the JLC. All in favor. Motion carried.

VII. Psychiatric Beds and Services Informal Workgroup – Final Report & Draft Language

Wirth gave an overview on behalf the Department of the Psychiatric Beds and Services final report and proposed draft language.

Dr. Subodh Jain provided a summary and final report of the Psychiatric Beds and Services work group and proposed draft language.

A. Public Comment

1. Melissa Reitz, McCall Hamilton

B. Commission Discussion

Discussion followed.

C. Commission Action

Motion by Commissioner Kondur, seconded by Commissioner Ferguson to submit draft language to public comment and the JLC. All in favor. Motion carried.

The Commission took a 10-minute break at 11:25 A.M.

VIII. Air Ambulance – Deregulation of CON Service

Stanton provided a summary of the deregulation of CON service for Air Ambulance.

A. Public Comment

None.

B. Commission Discussion

Discussion followed.

C. Commission Action

Motion to accept the Department's recommendations as presented to discontinue CON regulation for Air Ambulance Services and move the question to deregulation to a Public Hearing and to the Joint Legislative Committee. The Commission can then take Final Action at the September Commission meeting. Motion made by Commissioner MacAllister. Seconded by Commissioner Engelhardt-Kalbfleisch. All in favor.

Motion carried.

IX. Psychiatric Beds – Re-calculation of Bed Need Numbers – Setting the Effective Date (Written Report from Paul Delamater, et al.)

Wirth provided an overview of the Re-calculation of Bed Need Numbers and the Department's recommended effective date.

Dr. Delamater provided a presentation via zoom of his written report.

Motion by Commissioner MacAllister, seconded by Commissioner Turner-Bailey to set the effective date of January 2nd, 2024. All in favor.

Motion carried.

X. Legislative Update

Wirth gave an overview of the public comment period summary and the Department's recommendations.

XI. Administrative Update

A. Commissions and Special Projects Section Update provided by Wirth.

1. NICU Update
2. UESWL Update

3. OHS Update
4. PET Scanner Services

B. CON Evaluation Section Update provided by Bhattacharya.

1. Compliance Report
2. Quarterly Performance Measures
3. CT Statewide Compliance Review

XII. Legal Activity Report (Written Report)

Brien Heckman, Department of Attorney General, provided a written report update.

XIII. Public Comment

1. Srirama Venkataraman, Promaxo Inc.

XIV. Review of Commission Work Plan

Wirth provided an overview of the changes to the Work Plan including actions taken at today's meeting to be added.

Motion by Commissioner Guido-Allen, seconded by Commissioner Engelhardt-Kalbfleisch to accept the Work Plan as presented with updates from today's meeting. All in favor.

Motion carried.

XV. Future Meeting Dates:

September 14, 2023 & December 7, 2023.

XVI. Adjournment

Motion by Commissioner Guido-Allen, seconded by Commissioner Ferguson to adjourn the meeting at 12:16 PM. All in favor. Motion carried.