

## MDHHS Recommendations for CON Standards Scheduled for 2025 Review

### Urinary Extracorporeal Shock Wave Lithotripsy (UESWL) Services Standards

**Department Recommendations:** UESWL services should continue to be regulated. The Commission should charge the Department with making the necessary technical changes to the review standard.

Identified Issues	Issue Recommended for Substantive Review?	Recommended Course of Action to Review Issues	Other/Comments
Add language for renewal of a lease in Section 4, consistent with the definition.	No.	The Department will draft for Commission review.	This issue was identified by the Department.
“The applicant shall provide notice to the Department of any planned decrease or discontinuation of service(s) no later than 30 days after the planned decrease or discontinuation of the service(s).”	No.	The Department will draft for Commission review.	This issue was identified by the Department. This is a technical edit being recommended for all review standards.
Other technical edits by the Department if needed.			

Pursuant to MCL 333.22215 (1) (m), the Certificate of Need (CON) Commission is to “...review, and if necessary, revise each set of CON standards at least every 3 years.” In accordance with the established review schedule on the Commission Work Plan, the UESWL Services Standards are scheduled for review in the calendar year 2025.

### **Public Comment Period Testimony**

The Department held a Public Comment Period to receive testimony regarding the Standards on October 4 - 18, 2024. Testimony was received from four (4) organizations and is summarized as follows:

1. *Darryl Elmouchi, Corewell Health East*
  - Supports continued regulations and recommends no changes at this time.
2. *Denise Brooks-Williams, Henry Ford Health*
  - Supports continued regulations and recommends no changes at this time.
3. *Shannon D. Striebich, Trinity Health Michigan Market*

- Supports continued regulations and recommends no changes at this time.
4. *T. Anthony Denton, University of Michigan Health Michigan Medicine*
- Supports continued regulations and recommends no changes at this time.

**Background:**

The Urinary Lithotripters standards were revised with technical edits from the Department in 2019. The current effective date of the [UESWL Standards](#) is November 12, 2019.

**UESWL Survey Data for 2023:**

Annual survey data for 2023 is the latest available and can be found here:

[Litho Services - Host Site Utilization](#)

[Litho Services - Mobile CSC](#)

[Litho Mobile Routes](#)

[Litho Fixed Units](#)

## MDHHS Recommendations for CON Standards Scheduled for 2025 Review

Neonatal Intensive Care Services/Beds (NICU) and Special Newborn Nursing Services			
<b>Department Recommendations:</b> NICU services should continue to be regulated. The Commission should form an Informal Workgroup to make a recommendation regarding the following identified issues.			
Identified Issues	Issue Recommended for Substantive Review?	Recommended Course of Action to Review Issues	Other/Comments
Review the requirements related to the outreach programs in Section 12(2)(c) and if updates are needed, make recommendations for changes.	Yes	Informal Workgroup	This issue was identified by Trinity Health Michigan Market
Align NICU Review Standards consistent with the Joint Commission Maternal Levels of Care (MLC) Verification program.	Yes	Informal Workgroup	This issue was identified by Trinity Health Michigan Market
Review the methodology for consistency from the live births data in the Vital Records Department.	Yes	Informal Workgroup	This issue was identified by MyMichigan Health.
"The applicant shall provide notice to the Department of any planned decrease or discontinuation of service(s) no later than 30 days after the planned decrease or discontinuation of the service(s)."	No.	The Department will draft for Commission review.	This issue was identified by the Department. This is a technical edit being recommended for all review standards.
Other technical edits by the Department if needed.			

Pursuant to MCL 333.22215 (1) (m), the Certificate of Need (CON) Commission is to "...review, and if necessary, revise each set of CON standards at least every 3 years." In accordance with the established review schedule on the Commission Work Plan, the NICU Services Standards are scheduled for review in the calendar year 2025.

## **Public Comment Period Testimony**

The Department held a Public Comment Period to receive testimony regarding the Standards on October 4 - 18, 2024. Testimony was received from four (4) organizations and is summarized as follows:

1. *Denise Brooks-Williams and Muneer Abidi, Henry Ford Health*
  - Supports continued regulations and recommends no changes at this time.
2. *Shannon D. Striebich, Trinity Health Michigan Market*
  - Supports continued regulations and recommends reviewing the requirements related to the outreach programs in Section 12(2)(c).
  - Align NICU Review Standards consistent with the Joint Commission Maternal Levels of Care (MLC) Verification program.
3. *Sunita B. Vadakath, MyMichigan Health*
  - Supports continued regulations and recommends reviewing the methodology for consistency from the live births data in the Vital Records Department.
4. *Darryl Elmouchi, Corewell Health East*
  - Supports continued regulations and recommends no changes at this time.

## **Background:**

The NICU standards were revised by the Department in 2022. The current effective date of the [NICU standards](#) is March 6, 2023.

## **NICU Survey Data for 2023:**

Annual survey data for 2023 is the latest available and can be found here:

[NICU Beds by HSA](#)

[Special Care Nursery Services -Transfer to NICU](#)

[Special Care Nursery Services](#)

## MDHHS Recommendations for CON Standards Scheduled for 2025 Review

### Nursing Home and Hospital Long-Term-Care Unit (NH-HLTCU) Standards

**Department Recommendations:** NH-HLTU Services should continue to be regulated. The Commission should form an Informal Workgroup to make recommendations regarding the following identified issues.

Identified Issues	Issue Recommended for Substantive Review?	Recommended Course of Action to Review Issues	Other/Comments
Review the process of temporary closure to replace aging structures and consider adding language.	Yes.	Informal Workgroup	This issue was incomplete from the previous workgroup and brought forth by Corewell Health, HCAM, and Ciena Healthcare.
Consider language to the standards and a provision to the bed need methodology, that considers the impact of the Public Health Epidemic on the CON process.	No.		This issue was identified by Corewell Health, HCAM, and Ciena Healthcare. The Department believes this is covered in the Emergency CON Provisions in the Public Health Code 333.22235. In addition, the Department works with facilities to remedy situations as necessary.
Expand the payment provision to all sections of the CON standards where QAAP payments are referenced.	Yes.	Informal Workgroup	This issue was identified by Ciena Healthcare.
Review the Department policy for the new application form, CON-200-C.	No.		This issue was identified by Ciena Healthcare. The CON-200-C application form is Department Policy and not part of the CON standards that can be updated by a SAC or Workgroup.
Review Section 6 about quality in nursing home care and if necessary, recommend changes.	Yes.	Informal Workgroup	This issue was identified by LeadingAge Michigan.
Other technical edits by the Department if needed.			

Pursuant to MCL 333.22215 (1) (m), the Certificate of Need (CON) Commission is to “...review, and if necessary, revise each set of CON standards at least every 3 years.” In accordance with the established review schedule on the Commission Work Plan, the NH-HLTCU Services Standards are scheduled for review in the calendar year 2025.

### **Public Comment Period Testimony**

The Department held a Public Comment Period to receive testimony regarding the Standards on October 4 - 18, 2024. Testimony was received from four (4) organizations and is summarized as follows:

1. *Darryl Elmouchi, Corewell Health East*

- Supports continued regulations of the standards. Recommends language being added that considers the impact of the Public Health Epidemic on the CON process.
- Reviewing the process of temporary closure to replace aging structures.

2. *Richie Farran, Health Care Association of Michigan*

- Supports continued regulations of the standards. Recommends language being added that considers the impact of the Public Health Epidemic on the CON process.
- Review the process of temporary closure to replace aging structures.

3. *Anis Khan, Ciena Healthcare*

- Supports continued regulations of the standards. Recommends expanding the payment provision to all sections of the CON standards where QAAP payments are referenced.
- Include provisions that address issues related to the Public Health Epidemic.
- Consider a provision to the bed need methodology that would modify the methodology when utilization data is impacted by a Public Health Epidemic.
- Review the process of temporary closure to replace aging structures.
- Review the Department policy for the new application form, CON-200-C.

4. *Deanna Ludlow Mitchell, LeadingAge Michigan*

- Supports continued regulations and recommends reviewing Section 6 about quality in nursing home care.

### **Background:**

The NH-HLTCU standards were reviewed with an informal workgroup during 2022 and 2023. The current effective date of the [NH-HLTCU standards](#) is February 26, 2024.

### **NH-LTCU Survey Data for 2023:**

Annual survey data for 2023 is the latest available and can be found here:

[Nursing Home by Age by HSA](#)

[Nursing Home by Age by Planning Area](#)

[Nursing Home by HSA](#)

[Nursing Home by Planning Area](#)

## MDHHS Recommendations for CON Standards Scheduled for 2025 Review

Computed Tomography (CT) Scanner Services Standards			
<b>Department Recommendations:</b> CT services should continue to be regulated. The Commission should charge a Standard Advisory Committee (SAC) to recommend changes to the review standard.			
Identified Issues	Issue Recommended for Substantive Review?	Recommended Course of Action to Review Issues	Other/Comments
Review Section 2(k) definition of “CT Scanner” and if necessary, modify to include the exemption for chiropractic utilization similar to dentistry.	Yes.	SAC	This issue was Identified by Senator Michael Webber, and Several chiropractic offices and patients of chiropractic offices.
Review Section 14(2)(e) and if necessary, recommend changes to align with the American College of Radiology guidelines.	Yes.	SAC	This issue was identified by U of M Health and Trinity Health
Review Section 14(2)(e) and clarify “immediately available”.	Yes.	SAC	This issue was identified by the Department.
Review Section 14(2)(i) and add requirements for applicants offering CT scanner services to pediatric patients.	Yes.	The Department will draft for Commission review.	This issue was identified by the Department.
Other technical edits by the Department if needed.			

Pursuant to MCL 333.22215 (1) (m), the Certificate of Need (CON) Commission is to “...review, and if necessary, revise each set of CON standards at least every 3 years.” In accordance with the established review schedule on the Commission Work Plan, the CT Services Standards are scheduled for review in the calendar year 2025.

### **Public Comment Period Testimony**

The Department held a Public Comment Period to receive testimony regarding the Standards on October 4 - 18, 2024. Testimony was received from 10+ organizations and is summarized as follows:

1. *T. Anthony Denton, U of M Health*

- Supports continued regulations and recommends revisions to Section 14(2)(e) to align with the current American College of Radiology guidelines.

2. *Shannon D. Striebich, Trinity Health Michigan Market*
  - Supports continued regulations and recommends revisions to Section 14(2)(e) to align with the current American College of Radiology guidelines.
3. *Denise Brooks-Williams, Henry Ford Health*
  - Supports continued regulations and recommends no changes at this time.
4. *Darryl A Elmouchi, Corewell Health*
  - Supports continued regulations and recommends no changes at this time.
5. *Michael Webber, Michigan State Senator*
  - Recommends discontinuation of CON regulation for CT Scanners. Or if continued regulation is asking for Section 2(k) definition of “CT Scanner” to be modified to include the exemption for chiropractic utilization similar to dentistry.
6. *Barry Hobbs, Hobbs Specific Chiropractic*
  - Recommends updating Section 2(k) definition of “CT Scanner” to be modified to include the exemption for chiropractic utilization similar to dentistry.
7. *Selina Sigafosse Jackson, International Chiropractors Association*
  - Recommends updating Section 2(k) definition of “CT Scanner” to be modified to include the exemption for chiropractic utilization similar to dentistry.
8. *Robert Markle, Michigan Association of Chiropractors*
  - Recommends discontinuation of CON regulation for CT Scanners. Or if continued regulation is asking for Section 2(k) definition of “CT Scanner” to be modified to include the exemption for chiropractic utilization similar to dentistry.
9. *Dynamic Life Chiropractic and Several Letters of Support*
  - All recommend the discontinuation of CON regulation for CT Scanners. Or if continued regulation is asking for Section 2(k) definition of “CT Scanner” to be modified to include the exemption for chiropractic utilization similar to dentistry.
10. *Infinite Life Chiropractic and Several Letters of Support*
  - All recommend the discontinuation of CON regulation for CT Scanners. Or if continued regulation is asking for Section 2(k) definition of “CT Scanner” to be modified to include the exemption for chiropractic utilization similar to dentistry.

### **Background:**

An Informal Workgroup reviewed the CT standards in 2022-2023. The current effective date of the [CT Standards](#) is February 26, 2024.

### **CT Survey Data for 2023:**

Annual survey data for 2023 is the latest available and can be found here:

[CT Services – Hospital and Freestanding](#)

[CT Services – Portable and Ded Ped](#)

[CT Services – CSC](#)

[CT Services – Mobile Routes](#)