

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

Thursday, December 4, 2025

In-Person Meeting

APPROVED MINUTES

I. Call to Order and Introductions

Chairperson Amy Milewski called the meeting to order at 9:30 a.m.

A. Members present:

Amy Milewski, Chairperson
Debra Guido-Allen, Vice-Chairperson
Mark DeLano, MD
Amy Engelhardt-Kalbfleisch, DO
Greg Salwin
Joseph Egan
Eric Ferguson
Robert Gibson
Karen Cheeseman
Tatiana Grant (arrived late)

B. Members present and participating remotely:

None

C. Members Absent:

D. Department of Attorney General Staff:

Carl Hammaker MD JD

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

Marcus Connolly
Tiffani Stanton
Justin Easter
Katherine Tucker
Tulika Bhattacharya
Ninah Sasy
Dawn Shanafelt

II. Commissioner Updates

Introduction of the new Commissioner Joseph Egan, who was present.
Announcement of the departure of Commissioner Daniel Velez who has resigned.

III. Review of Agenda

Motion by Commissioner Gibson seconded by Commissioner Guido-Allen, to approve the agenda as presented. All in favor.

Motion carried.

IV. Declaration of Conflicts of Interests

None.

V. Review of Minutes of September 18, 2025

Motion by Commissioner Guido-Allen, seconded by Commissioner Engelhardt-Kalbfleisch, to approve the agenda as presented. All in favor

Motion carried.

VI. Neonatal Intensive Care Unit and Services (NICU) – Proposed Action

Dr. Frank Soltys provided a summary of the NICU Services Workgroup proposed language

A. Public Comment

Daniel Rito -- Henry Ford Health

Patrick O'Donovan – Corewell Health

B. Commission Discussion

Questions and Discussion Followed

C. Commission Action

Motion by Commissioner Guido-Allen to approve Charges 1 and 4, move to public hearing and to the JLC and to the Governor for the 45-day review period. Second by Ferguson. All in favor

Motion carried.

Motion by Commissioner Guido-Allen to approve charge 2 with the following edit: The definition for special care nursery program director, a board-certified or board-eligible neonatologist or board-certified

pediatrician with experience shall serve as the director of the special care nurseries. Second by Ferguson. All in favor

Motion carried.

Motion by Commission Guido-Allen to postpone any changes to Charge 3; direct the department to manage high occupancy as status quo, so no changes; direct the department to work on methodology or better data for and then seat a SAC to use that data to come back to us with an improved definition methodology. Commissioner Milewski amends the motion to charge the department to work with the workgroup to define the way that we are going to collect data for recording in the future. Commissioner Guido-Allen motions an additional amendment the high occupancy would include all of patient days reported as NICU. Second by Ferguson. All in favor.

Motion carried.

VII. County Designation Final Actions (NICU, PB, UESWL, MRI, CC, CT, MRT, PET, HB, OHS, NH-HLTCU, and SS)

Commissioner Guido-Allen made a motion to move the NICU, PB, UESWL, MRI, CC, CT, MRT, PET, HB, OHS, NH-HLTCU, and SS standards to the JLC for the 45-day review period. Seconded by Commissioner Gibson. All in favor

Motion carried.

VIII. Legislative Update

Justin Easter provided a legislative update. No new bills pertaining to CON have been introduced.

IX. Administrative Update

A. Commission and Special Projects Section Update

Marcus Connolly provided an administrative update on the current NH-HLTCU Informal Workgroups and the start of the HLL SAC

B. CON Evaluation Section Update

Tulika Bhattacharya provided an overview of the below updates.

- i. 4th Quarter Activity Report FY25
- ii. 4th Quarter Compliance Report FY25

X. Legal Activity Report (Written Report)

Carl Hammaker, MD, JD; Michigan Attorney General's Office, provide update for the legal activity report.

XI. Public Comment

None

XII. Review of Commission Workplan

Tiffani Stanton presented the Commission Work Plan.

A. Commission Discussion

Discussion Followed

B. Commission Action

Commissioner Cheeseman made a motion to approve the work plan as presented, Seconded by Commissioner Greg Salwin. All in favor.

Motion carried.

XIII. Future Meeting Dates

January 22, 2026; March 12, 2026; June 11, 2026; September 17, 2026; December 3, 2026.

XIV. Adjournment

Motion by Commissioner Amy Engelhardt-Kalbfleisch to adjourn the CON Commission Meeting. Seconded by Commissioner Tatianna Grant
All in favor.

Meeting Adjourned at 11:41 a.m.