

## MRI Workgroup Language

### **Section 2. Definitions**

(dd) "Magnetic resonance imaging unit" or "MRI unit" means the magnetic resonance system consisting of an integrated set of machines and related equipment necessary to produce the images and/or spectroscopic quantitative data from scans. **THE TERM DOES NOT INCLUDE MRI SIMULATORS USED SOLELY FOR TREATMENT PLANNING PURPOSES IN CONJUNCTION WITH AN MRT UNIT.**

### **Section 3. Requirements for approval of applicants proposing to initiate an MRI service or mobile MRI host site**

Sec. 3. (1) An applicant proposing to initiate a fixed MRI service shall demonstrate that 6,000 available MRI adjusted procedures, from within the same planning area as the proposed service/unit, per proposed unit result from application of the methodology in Section 15 of these standards.

(2)(a) An applicant proposing to initiate a mobile MRI service that involves beginning operation of a mobile MRI unit shall demonstrate that a minimum of 5,500 available MRI adjusted procedures, from within the same planning area as the proposed service/unit, per proposed unit result from application of the methodology in Section 15 of these standards.

(b) The applicant, whether the central service coordinator or the host site, must demonstrate that a minimum of 600 available MRI adjusted procedures, from within the same planning area as the proposed service/unit, result from the application of the methodology in Section 15 of these standards, for each proposed host site that

(i) is not located in a rural or micropolitan statistical area county and

(ii) has not received any mobile MRI service within the most recent 12-month period as of the date an application is submitted to the Department.

(c) The applicant, whether the central service coordinator or the host site, must demonstrate that a minimum of 400 available MRI adjusted procedures, from within the same planning area as the proposed service/unit, result from the application of the methodology in Section 15 of these standards for each proposed host site that

(i) is located in a rural or micropolitan statistical area county and

(ii) has not received any mobile MRI service within the most recent 12-month period as of the date an application is submitted to the Department.

(3)(a) An applicant, whether the central service coordinator or a proposed host site, proposing to initiate a mobile MRI host site not in a rural or micropolitan statistical area county, that is to be part of an existing mobile MRI service, must demonstrate that at least 600 available MRI adjusted procedures, from within the same planning area as the proposed service/unit, result from the application of the methodology in Section 15 of these standards for that host site.

(b) An applicant, whether the central service coordinator or a proposed host site, proposing to initiate a mobile MRI host site in a rural or micropolitan statistical area county, that is to be part of an existing mobile MRI service, must demonstrate that at least 400 available MRI adjusted procedures, from within the same planning area as the proposed service/unit, result from the application of the methodology in Section 15 of these standards for that host site.

(4) An applicant that meets all of the following requirements shall not be required to be in compliance with subsection (1):

(a) The applicant is proposing to initiate a fixed MRI service.

(b) The applicant is currently a host site being served by one or more mobile MRI units.

(c) The applicant has received, in aggregate, the following:

(i) at least 6,000 MRI adjusted procedures within the most recent 12-month period for which data, verifiable by the Department, are available or

(ii) at least 4,000 MRI adjusted procedures within the most recent 12-month period for which data, verifiable by the Department, are available, and the applicant meets all of the following:

(A) is located in a county that has no fixed MRI machines that are pending, approved by the Department, or operational at the time the application is deemed submitted;

(B) the nearest fixed MRI machine is located more than 15 radius miles from the application site;

(C) the applicant is a nonprofit licensed hospital site;

(D) the applicant certifies in its CON application, by providing a governing body resolution, that the board of trustees of the facility has performed a due diligence investigation and has determined that the fixed MRI service will be economically viable to ensure provision of safe and appropriate patient access within the community hospital setting; **OR**

**(III) AT LEAST 3,000 MRI ADJUSTED PROCEDURES WITHIN THE MOST RECENT 12-MONTH PERIOD FOR WHICH DATA, VERIFIABLE BY THE DEPARTMENT, ARE AVAILABLE, AND THE APPLICANT MEETS ALL OF THE FOLLOWING:**

**(A) THE PROPOSED SITE IS A HOSPITAL LICENSED UNDER PART 215 OF THE CODE; AND**

**(B) THE APPLICANT HOSPITAL OPERATES AN EMERGENCY ROOM THAT PROVIDES 24-HOUR EMERGENCY CARE SERVICES AND AT LEAST 20,000 VISITS WITHIN THE MOST RECENT 12-MONTH PERIOD FOR WHICH DATA, VERIFIABLE BY THE DEPARTMENT, IS AVAILABLE; OR**

**(IV) AT LEAST 2,000 MRI ADJUSTED PROCEDURES WITHIN THE MOST RECENT 12-MONTH PERIOD FOR WHICH DATA, VERIFIABLE BY THE DEPARTMENT, ARE AVAILABLE, AND THE APPLICANT MEETS ALL OF THE FOLLOWING:**

**(A) AT LEAST 25% OF TOTAL MRI VISITS WITH A PAYER SOURCE OF (1) MEDICAID AND (2) NO CHARGE, WITHIN THE MOST RECENT 12-MONTH PERIOD FOR WHICH DATA, VERIFIABLE BY THE DEPARTMENT, ARE AVAILABLE; AND**

**(B) THE APPLICANT IS A FOR-PROFIT, FREESTANDING FACILITY.**

(d) All of the MRI adjusted procedures provided at the applicant's approved site in the most recent 12-month period, referenced in (c) above, by each mobile MRI service/units from which any of the MRI adjusted procedures are being utilized to meet the minimum 6,000 or 4,000 MRI adjusted procedures shall be utilized to meet the requirements of (c). [For example: If mobile network 19 provided 4,000 adjusted procedures, network 21 provided 2,100, and network 18 provided 1,000, all of the adjusted procedures from network 19 and 21 must be used (i.e., 6,100) but the 1,000 adjusted procedures from network 18 do not need to be used to meet the 6,000 minimum.]

(e) The applicant shall install the fixed MRI unit at the same site as the existing approved host site or **WITHIN 2 MILES OF THE EXISTING SITE, OR** at the applicant's licensed hospital site as defined in these standards.

(5) Initiation of a mobile MRI host site does not include the provision of mobile MRI services at a host site if the applicant, whether the host site or the central service coordinator, demonstrates or provides each of the following, as applicable:

(a) The host site has received mobile MRI services from an existing mobile MRI unit within the most recent 12-month period as of the date an application is submitted to the Department.

(b) The addition of a host site to a mobile MRI unit will not increase the number of MRI units operated by the central service coordinator or by any other person.

(c) Notification to the Department of the addition of a host site prior to the provision of MRI services by that mobile MRI unit in accordance with (d).

(d) A signed certification, on a form provided by the Department, whereby each host site for each mobile MRI unit has agreed and assured that it will provide MRI services in accordance with the terms for approval set forth in Section 12 of these standards, as applicable. The central service coordinator also shall identify all current host sites, on this form, that are served by the mobile route as of the date of the signed certification or are committed in writing to be served by the mobile route.

(e) The central service coordinator requires, as a condition of any contract with a host site, compliance with the requirements of these standards by that host site, and the central service coordinator assures compliance, by that host site, as a condition of the CON issued to the central service coordinator.

**Section 8. Requirements for approval of an applicant proposing to acquire an existing MRI service or an existing MRI unit(s)**

**(1)(F) FOR ANY APPLICATION PROPOSING TO ACQUIRE AN EXISTING FIXED MRI SERVICE AND ITS UNIT(S) THAT WAS INITIATED UNDER SECTION 3(4)(C)(IV) OF THESE STANDARDS, THE APPLICANT ALSO MUST MEET THE REQUIREMENTS OF SECTION 3(4)(C)(IV)(A) AND (B).**

**(2)(D) FOR ANY APPLICATION PROPOSING TO ACQUIRE AN EXISTING FIXED MRI SERVICE AND ITS UNIT(S) THAT WAS INITIATED UNDER SECTION 3(4)(C)(IV) OF THESE STANDARDS, THE APPLICANT ALSO MUST MEET THE REQUIREMENTS OF SECTION 3(4)(C)(IV)(A) AND (B).**

**Section 13. Project delivery requirements – terms of approval**

**(5)AN APPLICANT FOR AN MRI UNIT APPROVED UNDER SECTION 3(4)(C)(IV) OF THESE STANDARDS SHALL AGREE TO CONTINUE TO PROVIDE AT LEAST 25% OF MRI VISITS WITH A PAYER SOURCE OF MEDICAID AND/OR NO CHARGE DURING THE FIRST 12 MONTHS OF OPERATIONS AND EVERY YEAR FOLLOWING FOR AT LEAST 3 YEARS.**