

Results of Survey #2

CERTIFICATE OF NEED (CON) TASK FORCE

SEPTEMBER 19, 2016

Acquiring Equipment: Scanners

MAJORITY RESPONSE: ELIMINATE

1	5	7
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

1	Maintain – no changes
1	Notification only to OHCA
	Expedited process for ALL applications
2	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
	All applications conditioned on the provision of services to Medicaid or underserved populations
7	Eliminate
2	Other

Other Respondent Considerations:

- For applications that propose to not serve Medicaid/underserve populations, justification should be required in the application.
- There should be an ability to incentivize the relocation of equipment and services to areas of need.

Acquiring Equipment: New Technology

MAJORITY RESPONSE: ELIMINATE

3	3	7
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

3	Maintain – no changes
	Notification only to OHCA
1	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
1	All applications conditioned on the provision of services to Medicaid or underserved populations
7	Eliminate
1	Other

Other Respondent Considerations:

- Create a streamlined process for applicants who are willing to commit to full public transparency on cost/price, utilization and outcomes and who accept conditions on the provision of service to Medicaid or underserved populations
- Be aware of “new” or experimental technology being applied in underserved communities in an exploitive fashion

Acquiring Equipment: Linear Accelerators

MAJORITY RESPONSE: ELIMINATE

2	3	8
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

2	Maintain – no changes
	Notification only to OHCA
1	Expedited process for ALL applications
1	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
	All applications conditioned on the provision of services to Medicaid or underserved populations
8	Eliminate
1	Other

Other Respondent Considerations:

- Lack of knowledge about this piece of equipment was noted by one respondent.

Initiating Services and Increasing Capacity: New Hospitals

MAJORITY RESPONSE: MODIFY

2	7	4
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

2	Maintain – no changes
	Notification only to OHCA
1	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
3	All applications conditioned on the provision of services to Medicaid or underserved populations
4	Eliminate
3	Other

Other Respondent Considerations:

- Two respondents suggested combining or considering both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.
- Require applicant to show it can build a vertical network infrastructure to compete effectively

Initiating Services and Increasing Capacity: New Specialty Hospitals

MAJORITY RESPONSE: PRESERVE

5	3	5
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

5	Maintain – no changes
	Notification only to OHCA
1	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
1	All applications conditioned on the provision of services to Medicaid or underserved populations
5	Eliminate
1	Other

Other Respondent Considerations:

- Require applicant to show it can build a vertical network infrastructure to compete effectively

Initiating Services and Increasing Capacity: New Freestanding Emergency Departments

MAJORITY RESPONSE: MODIFY

Options Presented:

2	Maintain – no changes
	Notification only to OHCA
1	Expedited process for ALL applications
2	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
1	All applications conditioned on the provision of services to Medicaid or underserved populations
4	Eliminate
3	Other

2	7	4
MAINTAIN	MODIFY	ELIMINATE

Other Respondent Considerations:

- CON should be conditioned on the provision of services to Medicaid and underserved populations while ensuring that freestanding ER services are 100% consistent with services rendered within hospital environment.
- Combine or consider both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.
- Review the value of freestanding EDs and the degree to which patient use them when they should be utilizing urgent care or primary care physicians; consider a moratorium

Initiating Services and Increasing Capacity: New Outpatient Surgical Facilities

MAJORITY RESPONSE: **MIXED**

1	6	6
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

1	Maintain – no changes
	Notification only to OHCA
3	Expedited process for ALL applications
1	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
1	All applications conditioned on the provision of services to Medicaid or underserved populations
6	Eliminate
1	Other

Other Respondent Considerations:

- Create a streamlined process of applications serving high need areas and condition approvals on provision to Medicaid or underserved populations

Initiating Services and Increasing Capacity: New Central Service Facilities

MAJORITY RESPONSE: ELIMINATE

4	2	7
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

4	Maintain – no changes
	Notification only to OHCA
	Expedited process for ALL applications
1	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
	All applications conditioned on the provision of services to Medicaid or underserved populations
7	Eliminate
1	Other

Other Respondent Considerations:

- Lack of knowledge about this type of facility was noted by one respondent.

Initiating Services and Increasing Capacity: New Mental Health Facilities

MAJORITY RESPONSE: **MIXED**

1	6	6
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

1	Maintain – no changes
	Notification only to OHCA
3	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
1	All applications conditioned on the provision of services to Medicaid or underserved populations
6	Eliminate
2	Other

Other Respondent Considerations:

- Combine or consider both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.

Initiating Services and Increasing Capacity: New Substance Abuse Treatment Facilities

MAJORITY RESPONSE: **MIXED**

1	6	6
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

1	Maintain – no changes
	Notification only to OHCA
2	Expedited process for ALL applications
1	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
2	All applications conditioned on the provision of services to Medicaid or underserved populations
6	Eliminate
1	Other

Other Respondent Considerations:

- Combine or consider both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.
- Expand CON process or other type of licensure to sub-acute SA treatment facilities such as sober homes or halfway houses

Initiating Services and Increasing Capacity: New Cardiac Services

MAJORITY RESPONSE: PRESERVE

3	4	6
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

3	Maintain – no changes
	Notification only to OHCA
1	Expedited process for ALL applications
1	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
1	All applications conditioned on the provision of services to Medicaid or underserved populations
6	Eliminate
1	Other

Other Respondent Considerations:

- Combine or consider both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.

Initiating Services and Increasing Capacity: Licensed Bed Capacity

MAJORITY RESPONSE: ELIMINATE

2	3	8
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

2	Maintain – no changes
	Notification only to OHCA
1	Expedited process for ALL applications
1	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
	All applications conditioned on the provision of services to Medicaid or underserved populations
8	Eliminate
1	Other

Other Respondent Considerations:

- Combine or consider both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.

Initiating Services and Increasing Capacity: Increase in Operating Rooms (2 or more in 3 year period)

MAJORITY RESPONSE: ELIMINATE

2	2	9
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

2	Maintain – no changes
	Notification only to OHCA
1	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
1	All applications conditioned on the provision of services to Medicaid or underserved populations
9	Eliminate
	Other

Terminating Services: Hospital Mental Health/Substance Abuse Services

MAJORITY RESPONSE: MODIFY

Options Presented:

4	7	2
MAINTAIN	MODIFY	ELIMINATE

4	Maintain – no changes
2	Require a CON application only when the service is being terminated in a designated “high-need” area
1	Require notification when termination due to insufficient patient volume or a certain threshold of financial loss; all other terminations must go through the full application process
2	Create an expedited application process for when termination due to insufficient patient volume or a certain threshold of financial loss; all other terminations must go through the full application process
2	Eliminate
2	Other

Other Respondent Considerations:

- Require CON application only when the service being terminated is in a “high need” area-make it an expedited process that recognizes concern for terminations proposed due to the financial loss in providing services
- Require a hospital to develop a specific plan on how hospital will ensure community MH and SUD needs will be met after the termination of services

Terminating Services: Hospital Inpatient/Outpatient Services

MAJORITY RESPONSE: MODIFY

3	9	1
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

3	Maintain – no changes
2	Require a CON application only when the service is being terminated in a designated “high-need” area
1	Require notification when termination due to insufficient patient volume or a certain threshold of financial loss; all other terminations must go through the full application process
3	Create an expedited application process for when termination due to insufficient patient volume or a certain threshold of financial loss; all other terminations must go through the full application process
1	Eliminate
3	Other

Other Respondent Considerations:

- Require notification when the service is proposed to be terminated due to insufficient patient volume or a certain threshold of financial loss **unless in a high need area**; all other terminated services should be subject to expedited CON process
- CON application should be required if there is a proposed **reduction** of services

Terminating Services: Hospital Emergency Departments

MAJORITY RESPONSE: MODIFY

4	6	3
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

4	Maintain – no changes
1	Require a CON application only when the service is being terminated in a designated “high-need” area
1	Require notification when termination due to insufficient patient volume or a certain threshold of financial loss; all other terminations must go through the full application process
2	Create an expedited application process for when termination due to insufficient patient volume or a certain threshold of financial loss; all other terminations must go through the full application process
3	Eliminate
2	Other

Other Respondent Considerations:

- Create an expedited application process
- CON should be required if there is a proposed reduction in emergency services/beds

Terminating Services: Surgical Services

MAJORITY RESPONSE: ELIMINATE

0	6	7
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

0	Maintain – no changes
3	Require a CON application only when the service is being terminated in a designated “high-need” area
1	Require notification when termination due to insufficient patient volume or a certain threshold of financial loss; all other terminations must go through the full application process
1	Create an expedited application process for when termination due to insufficient patient volume or a certain threshold of financial loss; all other terminations must go through the full application process
7	Eliminate
1	Other

- Other Respondent Considerations:
- If the outpatient facility is part about of the larger local hospital system, proposed terminated and/or reduction of surgical services should be evaluated as part of that entity's services.

Transfer of Ownership: Large Group Practices

MAJORITY RESPONSE: MODIFY

3	8	2
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

3	Maintain – no changes
	Notification only to OHCA
1	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
2	All applications conditioned on the provision of services to Medicaid or underserved populations
2	Eliminate
5	Other

Other Respondent Considerations:

- Require CON only if transfer is to a hospital
- Approvals should be conditioned on the provision of services to underserved populations but should also include a deeper financial impact assessment, and post approval sanction opportunity should actual cost impacts vary materially from the representations made.
- Acquire consultants to create a report regarding market and pricing impact of increased concentration of ownership.
- Streamline, expedited application, but process should include review of services to Medicaid and underserved populations. Application should be able to be denied if discriminatory practices are discerned.
- Condition approval on serving Medicaid/underserved and abolish presumption of passage

Transfer of Ownership: Specialty Hospitals

MAJORITY RESPONSE: MAINTAIN

6	5	2
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

6	Maintain – no changes
1	Notification only to OHCA
	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
2	All applications conditioned on the provision of services to Medicaid or underserved populations
2	Eliminate
1	Other

Other Respondent Considerations:

- Combine or consider both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.

Transfer of Ownership: Freestanding Emergency Departments

MAJORITY RESPONSE: MODIFY

4	5	4
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

4	Maintain – no changes
1	Notification only to OHCA
	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
2	All applications conditioned on the provision of services to Medicaid or underserved populations
4	Eliminate
2	Other

Other Respondent Considerations:

- Ensure that any free standing ER operations provide 100% of services offered within the hospital environment
- Combine or consider both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.

Transfer of Ownership: Outpatient Surgical Facilities

MAJORITY RESPONSE: **MIXED**

3	5	5
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

3	Maintain – no changes
1	Notification only to OHCA
	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
2	All applications conditioned on the provision of services to Medicaid or underserved populations
5	Eliminate
2	Other

Other Respondent Considerations:

- Require CON if transfer of ownership is to/will create a larger health care system and possibility eliminate the ability for competition.
- Combine or consider both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.

Transfer of Ownership: Central Service Facilities

MAJORITY RESPONSE: ELIMINATE

2	3	8
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

2	Maintain – no changes
2	Notification only to OHCA
1	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
	All applications conditioned on the provision of services to Medicaid or underserved populations
8	Eliminate
	Other

Transfer of Ownership: Mental Health Facilities

MAJORITY RESPONSE: MODIFY

3	7	3
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

3	Maintain – no changes
1	Notification only to OHCA
2	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
3	All applications conditioned on the provision of services to Medicaid or underserved populations
3	Eliminate
1	Other

Other Respondent Considerations:

- Combine or consider both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.

Transfer of Ownership: Substance Abuse Treatment Facilities

MAJORITY RESPONSE: MODIFY

3	6	4
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

3	Maintain – no changes
1	Notification only to OHCA
1	Expedited process for ALL applications
0	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
3	All applications conditioned on the provision of services to Medicaid or underserved populations
4	Eliminate
1	Other

Other Respondent Considerations:

- Combine or consider both the expedited process for applications to serve populations in designated “high-need” areas and making all applications conditioned on the provision of services to Medicaid or underserved populations.

Expanded Reviews: Hospital Transfer of Ownership

MAJORITY RESPONSE: **MAINTAIN**

8	4	0
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

2	Maintain – no changes
	Notification only to OHCA
	Expedited process for approval for ALL applications
2	All applications conditioned on the provision of services to Medicaid or underserved populations
0	Eliminate
2	Other

Other Respondent Considerations:

- Add emphasis to issues that have a negative impact to the competitive market place
- Needs to viewed as a means of nudging the CT delivery system in the direction of a high quality, efficient and competitive set of consumer and payer choices; as a regulatory support and constraint to channel competitive forces toward positive outcomes; and to function in conjunction with antitrust and insurance regulation.

Conversions

MAJORITY RESPONSE: **MAINTAIN**

7	2	3
MAINTAIN	MODIFY	ELIMINATE

Options Presented:

7	Maintain – no changes
	Notification only to OHCA
	Expedited process for ALL applications
	Expedited process ONLY for applications that propose to serve populations in designated "high-need" areas
	All applications conditioned on the provision of services to Medicaid or underserved populations
3	Eliminate
2	Other

Other Respondent Considerations:

- Ensure these reviews are not influenced by factors beyond those outlined in regulations or needlessly prolonged.
- Large scale reductions to services, job cuts, and cuts to employees wages/benefits should not be allowed to make the conversion "financially feasible"