

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1440 (Delegate Costa, *et al.*)
Health and Government Operations

Hospitals - Open Heart Surgery

This bill requires the Maryland Health Care Commission (MHCC) to grant one new open heart surgery program to a hospital that: • is in a county that does not have a hospital that provides open heart surgery and in which at least 500 patients requiring open heart surgery were transported or referred to other hospitals for the surgery; • is not part of a merged asset system that already provides cardiac surgery in any of its hospitals; • in the previous three years attained an annual average of 14,000 adult admissions, 64,000 emergency department visits, and 2,500 inpatients receiving cardiology services; • has participated in the cardiovascular patient outcomes research trial; • has filed an application with MHCC before January 11, 2006 for a waiver to provide primary percutaneous coronary intervention services; and • demonstrates clinical and resource capacity for an open heart surgery program. MHCC's need methodology or assessment for the necessity of an open heart surgery program does not apply to the program created by the bill.

Fiscal Summary

State Effect: The bill's requirements could be handled with existing budgeted MHCC resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: MHCC must issue a certificate of need (CON) before a health care facility may be built, developed, or established in the State. A CON is also required for any capital expenditures to add a new medical service to an existing facility. A CON is the primary method for implementing the State Health Plan and is generally required for capital expenditures, additions, or modifications to existing facilities or services, and new services. The basis for approval of a CON is need, as determined in the State Health Plan.

A CON is required to establish an open heart surgery service.

Background: MHCC most recently updated the State Health Plan for cardiac surgery and percutaneous coronary intervention (PCI) services in March 2004. Under the plan, cardiac surgery programs must meet certain minimum volume standards, including, for adult programs, 200 open heart surgery procedures annually. Any new cardiac surgery program is required to meet the minimum volume standards within 24 months of beginning operations. Only hospitals with on-site cardiac surgery capabilities are permitted to perform PCI, except under specified waiver procedures. The waiver procedures allow hospitals without on-site cardiac surgery capability to perform emergency (but not elective) PCI.

The State Health Plan allows consideration of a new open heart surgery program in one of the State's four regional service areas if one or more programs in a regional service area have not met the minimum volume standards for the past two consecutive years. MHCC may only approve a new cardiac surgery program in a regional service area projected to have stable or declining open heart surgery use if MHCC determines that the new program will demonstrably benefit the service area population and the value of that benefit is greater than any increased cost that may result. After a new program has been approved, MHCC will not consider an additional program in that regional service area until the new program has been in operation for at least three years. Nine Maryland hospitals perform cardiac surgery and elective PCI services. In addition, three Washington, DC hospitals are considered in the Metropolitan Washington planning region. Anne Arundel Medical Center is the only hospital that meets the bill's requirements. Hospital officials have stated that about 500 patients are referred to other hospitals each year for cardiac surgery, including about 50 patients flown by commercial air ambulances.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County, Caroline County, Howard County, Department of Health and Mental Hygiene (Maryland Health Care Commission), Department of Legislative Services

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Analysis by: Susan D. John

Direct Inquiries to:
(410) 946-5510
(301) 970-5510