

WEBVTT

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00:00:40.170 --> 00:00:41.250

5th Floor BOD: Chairman we're ready to begin. Thank you Danisha.

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00:00:42.930 --> 00:00:48.900

5th Floor BOD: Would you please call a role? Yes, I'll begin with Norman Boyd. Here.

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00:00:50.010 --> 00:00:51.150

5th Floor BOD: Roger Folsom.

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00:00:51.690 --> 00:00:51.990

Roger Folsom: Here.

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00:00:53.880 --> 00:00:55.110

5th Floor BOD: Russell Crutchfield.

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00:00:55.380 --> 00:00:57.930

5th Floor BOD: Here. David Crews.

7

00:00:58.440 --> 00:01:00.990

5th Floor BOD: Here. Anthony Williamson.

8

00:01:01.650 --> 00:01:02.040

Anthony Williamson: Here.

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00:01:03.660 --> 00:01:04.710

5th Floor BOD: Cynthia Rucker.

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00:01:08.040 --> 00:01:08.850

Cynthia Rucker: I'm here.

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00:01:10.650 --> 00:01:11.850

5th Floor BOD: Russ Childers.

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00:01:17.610 --> 00:01:18.600

5th Floor BOD: Russ Childers.

13

00:01:24.240 --> 00:01:24.990

Russ Childers: Here. I'm sorry, I

14

00:01:25.500 --> 00:01:26.910

Russ Childers: was having trouble unmuting.

15

00:01:27.720 --> 00:01:30.090

5th Floor BOD: Thank you. Nelva Lee.

16

00:01:30.810 --> 00:01:31.200

Nelva Lee: Here.

17

00:01:32.340 --> 00:01:33.660

5th Floor BOD: Kenneth Davis.

18

00:01:34.380 --> 00:01:34.740

Kenneth Davis: Here.

19

00:01:36.420 --> 00:01:48.900

5th Floor BOD: That concludes my role call Chairman. Thank you Danisha, that is a full complement of board members, and thank you so very much for taking your time to to attend the and participate in the board meeting this morning.

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00:01:51.810 --> 00:02:03.750

5th Floor BOD: Welcome all of our listeners here, we will not have a hearing impaired interpreter today, we were not able to secure one so I hope that's not an inconvenience to the people.

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00:02:05.580 --> 00:02:22.830

5th Floor BOD: We do as I say, we do have a quorum and will call the meeting to order. Our agenda this morning, we will be asked as a as a board to consider for final adoption four different presentations that we will, it will have on our agenda today.

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00:02:23.940 --> 00:02:40.650

5th Floor BOD: The first of all, I'd like to call on our Secretary Russell Crutchfield concerning the approval of the minutes of the February 10 meeting, and ask Russell if he's had a chance to review those minutes and can recommend them for approval.

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00:02:41.460 --> 00:02:53.040

Russell Crutchfield: Well, thank you, Mr. Chairman and good morning. I have reviewed the February 10 Board meeting minutes and found them to be correct and in order, and I move that we approve the February 10 Board of Community Health meeting minutes.

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00:02:54.360 --> 00:02:56.040

5th Floor BOD: Is there a second to that, please?

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00:02:57.270 --> 00:02:58.830

Nelva Lee: I'll second. Nelva Lee.

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00:02:59.940 --> 00:03:03.150

5th Floor BOD: Nelva Lee has seconded that motion. All in favor, say "Aye."

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00:03:04.860 --> 00:03:05.280

Cynthia Rucker: Aye.

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00:03:06.690 --> 00:03:07.410

5th Floor BOD: Opposed?

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00:03:09.090 --> 00:03:13.800

5th Floor BOD: Abstaining? Hearing none, the minutes are approved, and thank you very much.

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00:03:15.990 --> 00:03:34.530

5th Floor BOD: With that, I have next on the agenda item I'll turn it to Anthony Williamson and chairman of our Care Management Committee. And he has a presentation concerning the committee charter and we'll be asked to as a board if we would approve that, I believe. Anthony, please go ahead.

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00:03:35.250 --> 00:03:42.240

Anthony Williamson: Thank you, Chairman Boyd. Yes, we are presenting a new care management committee charter.

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00:03:43.170 --> 00:04:02.190

Anthony Williamson: To the board this morning for approval. Hopefully, everyone has had an opportunity to review this. It's a fairly brief document, but it does outline the role, what the committee's function is, in the that function is really to assist our larger Board

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00:04:03.450 --> 00:04:17.760

Anthony Williamson: Committee in doing its duties, by hearing more detailed reports about care management functions and those related quality efforts within the Department.

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00:04:18.870 --> 00:04:20.070

Anthony Williamson: We understand that

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00:04:21.270 --> 00:04:28.410

Anthony Williamson: what our Committee responsibility is, and it also outlines, you know what are, you know what are, necessarily not our responsibilities.

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00:04:29.280 --> 00:04:38.190

Anthony Williamson: It speaks to us meeting quarterly you know, unless we need to you know meet more often. We'll hear reports from the Department.

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00:04:39.120 --> 00:04:51.780

Anthony Williamson: And we will bring those reports back to the larger board so that they can be informed - greater informed of these initiatives so I'd be happy to

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00:04:52.260 --> 00:05:05.580

Anthony Williamson: answer any questions if there are any on the charter, this morning. But essentially, this describes the purpose of the Care Management Committee and would ask for your approval.

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00:05:07.200 --> 00:05:10.890

5th Floor BOD: Thank you Anthony. Are there any questions or comments from the Board please?

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00:05:12.990 --> 00:05:23.370

5th Floor BOD: I've had a chance, as the other board members have as well, I'm sure, to review the proposed charter. And thank you Anthony, and your committee for bringing this forward.

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00:05:25.290 --> 00:05:29.100

5th Floor BOD: If there are no questions or comments, is there a motion for approval?

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00:05:32.940 --> 00:05:34.950

Roger Folsom: Roger Folsom so moves, Mr. Chairman.

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00:05:35.220 --> 00:05:38.520

5th Floor BOD: Mr. Folsom has moved that it be approved. Is there a second?

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00:05:38.820 --> 00:05:39.870

Russell Crutchfield: Russell Crutchfield, second.

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00:05:40.650 --> 00:05:43.530

5th Floor BOD: Russell Crutchfield has seconded, all in favor, say "Aye."

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00:05:44.070 --> 00:05:45.360

Nelva Lee: Aye. Aye.

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00:05:46.500 --> 00:05:47.190

5th Floor BOD: Opposed?

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00:05:48.690 --> 00:05:52.260

5th Floor BOD: Abstaining? Seconded. I'm sorry.

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00:05:55.500 --> 00:05:57.450

5th Floor BOD: Was, was there someone abstaining?

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00:06:00.360 --> 00:06:01.980

Cynthia Rucker: No, I was seconding.

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00:06:02.730 --> 00:06:04.170

5th Floor BOD: Okay, thank you.

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00:06:06.030 --> 00:06:12.270

5th Floor BOD: With that it is, it is approved and thank the committee again for bringing that forward.

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00:06:14.190 --> 00:06:23.340

5th Floor BOD: Next, on our agenda is the Commissioner report. I'll turn it over to Commissioner Noggle. Good morning, thank you, Mr. Chairman. Good morning members of the Board.

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00:06:24.180 --> 00:06:33.120

5th Floor BOD: As a chairman mentioned our agenda today is pretty straightforward. Four final adoption items that the staff will present. And several of them had

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00:06:33.930 --> 00:06:40.470

5th Floor BOD: a fair number of public comments received, but all were very positive, so looking forward to reviewing those with you today.

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00:06:41.250 --> 00:06:46.080

5th Floor BOD: The House released their FY23 budget recommendations this morning and just want to thank

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00:06:47.070 --> 00:06:58.530

5th Floor BOD: them for their effort and work with the house Budget Office. There are a lot of great items in this budget. They continued support of many of the items that the governor had recommended and went further and added some additional items.

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00:06:58.890 --> 00:07:09.900

5th Floor BOD: The net change so far, and we've, we've just been kind of combing through it, for the last hour, is actually about a reduction of \$154 million in state funds. That's due to an extension of the public health emergency and

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00:07:10.530 --> 00:07:17.940

5th Floor BOD: the need for fewer state funds for the first quarter as that increased F map will continue for another quarter, or at least we anticipate it will.

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00:07:18.240 --> 00:07:25.740

5th Floor BOD: But lots of those other funds have been shifted around to implement new health initiatives and several other payment provider rate increases.

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00:07:26.400 --> 00:07:36.570

5th Floor BOD: All that to say you know, I think my next budget hearing is Monday morning with the Senate. We'll see how that ultimately looks in a final adopted budget when we get to the end of session.

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00:07:38.280 --> 00:07:45.630

5th Floor BOD: But ultimately, I would think the Board should plan for much more robust Board meetings in April and May, as we will begin to

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00:07:46.080 --> 00:07:54.660

5th Floor BOD: tee-up some of those items for adoption, initial and final adoption, so that we get ready to implement those things in a timely manner, moving into the FY 23 year.

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00:07:55.320 --> 00:08:02.280

5th Floor BOD: In other good news, we did get final CMS approval of our appendix K, which includes a rate increase for some of our providers

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00:08:03.000 --> 00:08:12.570

5th Floor BOD: for our NOW and COMP waivers, which is great news. We had been waiting for that. And we also began implementation on the provider, provider, excuse me provider module in our MEST

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00:08:13.140 --> 00:08:21.270

5th Floor BOD: Medicaid Enterprise System Transformation module. And then we're continuing those other procurements moving on down the line with those.

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00:08:21.870 --> 00:08:29.610

5th Floor BOD: A couple of milestones and staffing updates I always like to share. We have a new general counsel by the name of Paul Norman, who will be joining us. His first day will be next week.

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00:08:30.360 --> 00:08:34.770

5th Floor BOD: And you may remember that we had several other changes happening and retirements.

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00:08:35.730 --> 00:08:42.000

5th Floor BOD: Stacey Hillock, from our Health Planning Division, has been designated as our new - my new - CON, or Certificate of Need Designee.

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00:08:42.360 --> 00:08:51.420

5th Floor BOD: And Karesha Laing, from the Health Planning Unit, has been promoted to the Interim Executive Director. And they both been with the Department for many, many years. So proud of them and grateful that they have both agreed to

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00:08:52.050 --> 00:09:02.550

5th Floor BOD: step up and take on new responsibilities. And then, as I always like to do, I just want to recognize some other staff milestones. Jovon Woods and Anita Hicks are both celebrating five years of service.

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00:09:02.970 --> 00:09:13.110

5th Floor BOD: Sybil Henderson, Carla Morris, and our own Marial Ellis, our Chief of Staff, are celebrating 10 year anniversaries. And Alton Meeks is celebrating 30 years of service with the Department and state. So,

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00:09:13.380 --> 00:09:27.690

5th Floor BOD: thank you, thank you. Forever grateful for their service and all that they do the state serving Georgians and the Department. Happy to answer questions, Mr. Chairman, but that would conclude my report. Thank you Commissioner. Are there questions or comments for the Commissioner, please, from the Board?

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00:09:30.840 --> 00:09:35.970

5th Floor BOD: Thank you so much for that comprehensive report. And we'll look forward to working a little harder in April and May.

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00:09:39.480 --> 00:09:52.590

5th Floor BOD: Okay, with that we'll move into our next agenda item and the beginning of the four items that we'll be asked to consider. And I'll call on Brian Dowd to make his presentation regarding Medical Plan Assistance.

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00:09:55.380 --> 00:10:06.030

5th Floor BOD: Thank you, Mr Chairman, Commissioner, members of the Board. Today, I am presenting for final adoption a rate adjustment for psychiatric residential treatment facilities, or PRTFs.

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00:10:06.720 --> 00:10:15.270

5th Floor BOD: At the February Board meeting, we proposed for initial adoption an amended notice for rate adjustment for PRTFs.

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00:10:15.720 --> 00:10:30.780

5th Floor BOD: The amended notice followed initial notice presented in the January Board meeting and subsequent public comment. DCH proposed at the

February Board meeting to amend the PRTF rates based on facility submitted, submitted

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00:10:32.370 --> 00:10:40.440

5th Floor BOD: audited cost reports in two parts. The first part was in accordance with the behavioral health policy manual for PRTF coverage.

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00:10:40.740 --> 00:10:49.350

5th Floor BOD: And the second part, was in accordance with the co-occurring behavioral health in autism spectrum disorder policy manual for PRTF coverage.

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00:10:49.980 --> 00:11:00.420

5th Floor BOD: DCH proposed removing cost ceilings associated with the PRTF rate setting and implied a 5% inflation factor to the behavioral health part one rates.

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00:11:00.780 --> 00:11:09.960

5th Floor BOD: Hold harmless provisions in the state plan were proposed for any facility that experienced a significant decrease in rates.

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00:11:10.530 --> 00:11:21.360

5th Floor BOD: The proposed effective date for the change, pending DCH Board final adoption and CMS approval, will be January 14, 2022.

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00:11:22.110 --> 00:11:38.400

5th Floor BOD: An opportunity for public comment on the proposed amended PRTF rates was held February 16, 2022 at 11am via WebEx. Written comments were due on or before August 23, 2022.

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00:11:39.030 --> 00:11:52.770

5th Floor BOD: We received no oral comments from the public hearing. We received one written comment on the amended proposed change. The written comment was from Cheryl Dresser with the Georgia Alliance of Therapeutic Services.

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00:11:53.340 --> 00:12:02.550

5th Floor BOD: Miss Dresser thanked DCH, and the Board for amending the rate adjustments in response to initial oral and written comments that were submitted.

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00:12:03.210 --> 00:12:14.850

5th Floor BOD: Ms. Dresser noted that the amended public notice demonstrated the viability of the public notice process and looked forward to the board's final adoption of the PRTF rate adjustment.

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00:12:16.410 --> 00:12:29.730

5th Floor BOD: At this point I would pause, if there was any questions and would respectfully request your final adoption of the amended rate adjustment for psychiatric residential treatment facilities. Any questions, comments from the Board, please, for Brian?

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00:12:32.340 --> 00:12:35.850

5th Floor BOD: Hearing none, is there a motion for approval for final adoption?

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00:12:37.800 --> 00:12:37.980

Nelva Lee: Nelva Lee, I so move.

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00:12:41.610 --> 00:12:44.700

5th Floor BOD: Dr. Lee has moved for approval and final adoption. Is there a second?

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00:12:45.540 --> 00:12:46.620

ken's iPhone: Ken Davis, second.

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00:12:47.880 --> 00:12:52.050

5th Floor BOD: Dr. Davis has seconded that motion. All in favor, say "Aye."

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00:12:52.770 --> 00:12:53.010

Many Speakers: Aye.

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00:12:56.460 --> 00:12:57.000

5th Floor BOD: Opposed?

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00:12:58.530 --> 00:13:03.420

5th Floor BOD: Abstaining? Hearing none, it is approved. Brian, thank you very much. Thank you, sir.

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00:13:05.790 --> 00:13:14.700

5th Floor BOD: Next on our agenda, Ryan Loke, Deputy Commissioner and Chief Health Policy Officer, will make his presentation regarding medical systems plans.

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00:13:15.270 --> 00:13:25.260

5th Floor BOD: Great. Thank you, Mr. Chairman, members the Board and Commissioner. Good morning. You'll recall that at our February Board meeting I presented the first in what we're proposing in a series of supplemental and directed payment programs

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00:13:25.830 --> 00:13:32.370

5th Floor BOD: for our hospital partners in the state. This one, the first one that we're calling "Advancing Innovation to Deliver Equity."

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00:13:33.060 --> 00:13:42.660

5th Floor BOD: You'll recall that this is a new and innovative supplemental payment program that is limited, at this time, to just two types of hospitals.

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00:13:43.230 --> 00:13:53.100

5th Floor BOD: Either state-owned acute care hospitals or hospitals that are non state governmental individual acute care hospitals that are providing more than 63,000 total Medicaid in-patient days,

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00:13:53.460 --> 00:14:03.420

5th Floor BOD: based on the 2020 Medicare cost report, and has over 100,000 total in-state Medicaid in-patient days as reported in 2021 DCH dish final payment eligibility report.

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00:14:03.810 --> 00:14:10.140

5th Floor BOD: Effectively, this proposal, Mr. Chairman you'll recall, limits this to just Grady Health System and Augusta University Health System.

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00:14:10.530 --> 00:14:13.740

5th Floor BOD: We also discussed in our February Board meeting that in the coming months,

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00:14:14.220 --> 00:14:20.910

5th Floor BOD: likely at our April Board meeting, that Brian Lipton and Kim Morris, and a couple other folks, are going to be presenting the next phase of this

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00:14:21.330 --> 00:14:27.000

5th Floor BOD: that expands to a whole bunch of other hospitals. And I look forward to them presenting that for initial adoption to you guys.

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00:14:27.810 --> 00:14:34.680

5th Floor BOD: As the Commissioner mentioned, we did receive a fair amount of public comments in support of this. And I'll just read off real quickly those

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00:14:35.580 --> 00:14:41.130

5th Floor BOD: who shared positive public comment with us. That included the American Cancer Society Action Network,

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00:14:41.460 --> 00:14:48.720

5th Floor BOD: Candler County Hospital, the American Diabetes Association, Grady Health System, Hometown Health, Georgia Hospital Association,

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00:14:49.050 --> 00:14:56.280

5th Floor BOD: and Augusta University Health System. And all of those comments were positive and in favor of the proposal. We appreciate their support with that.

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00:14:57.180 --> 00:15:11.460

5th Floor BOD: At this time, Mr. Chairman, I respectfully request board support for final adoption of the "Advancing Innovation to Deliver Equity" supplemental payment program. I'll answer any questions if there are any. Thank you Ryan. Are there any questions, comments from the board?

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00:15:14.010 --> 00:15:18.000

5th Floor BOD: Hearing none, is there an emotion for approval for final adoption?

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00:15:18.990 --> 00:15:21.330

Roger Folsom: Roger Folsom, motion for approval Mr. Chairman.

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00:15:22.530 --> 00:15:26.760

5th Floor BOD: Roger Folsom has moved for adoption. And is there a second?

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00:15:27.240 --> 00:15:28.350

Russ Childers: Russ Childers seconds.

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00:15:29.490 --> 00:15:32.400

5th Floor BOD: Childers has seconded that. And all in favor, say "Aye."

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00:15:33.000 --> 00:15:33.360

Multiple Speakers: Aye.

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00:15:35.460 --> 00:15:36.150

5th Floor BOD: Opposed?

119

00:15:38.100 --> 00:15:38.970

5th Floor BOD: Abstaining?

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00:15:40.320 --> 00:15:43.260

5th Floor BOD: Hearing none, it is approved Ryan, thank you very much. Thank you, sir.

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00:15:47.910 --> 00:15:48.390

5th Floor BOD: Next.

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00:15:49.560 --> 00:15:58.860

5th Floor BOD: Karesha Berkeley [Laing], our Interim Executive Director of Health Planning, will make a rules and regulations presentation.

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00:16:05.190 --> 00:16:06.390

5th Floor BOD: Good morning, Chairman Boyd,

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00:16:07.530 --> 00:16:13.200

5th Floor BOD: Commissioner Noggle, members of the Board. The Office of Health Planning presents rules today for final adoption.

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00:16:13.710 --> 00:16:22.710

5th Floor BOD: These rules are found in Chapter 111 dash 2 dash 1 of the Department's rules and regulations and are necessary in order to reflect

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00:16:23.100 --> 00:16:31.080

5th Floor BOD: legislative amendments to the State Health Planning and Development Act, to correct grammar, and to provide clarity, and to modernize the rules.

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00:16:31.680 --> 00:16:42.150

5th Floor BOD: You will recall these rules were presented at the January Board meeting for initial adoption. A draft copy was provided to you. I will read the changes as follows:

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00:16:43.380 --> 00:16:54.570

5th Floor BOD: The proposed changes makes, make updates to the functions of the Office of Health Planning to include references to utilizing Technical Advisory Committees to prepare and revise a draft state health plan;

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00:16:55.170 --> 00:17:07.290

5th Floor BOD: to seek advice from Technical Advisory Committees at the Department's discretion; to provide for a fee exemption for a Certificate of Need application filing by a rural county

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00:17:09.270 --> 00:17:19.350

5th Floor BOD: hospital; and to study, recommend requirements for, and track the amount of, uncompensated indigent and charity care required by each type of health care facility.

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00:17:20.010 --> 00:17:31.680

5th Floor BOD: The proposed changes include empowering the Commissioner to establish and abolish Technical Advisory Committees in consultation with the Board, in order to inform effective strategy development and execution.

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00:17:33.150 --> 00:17:42.090

5th Floor BOD: A public comment hearing was held on February 15, 2022 and written comments were due on or before February 18, 2022,

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00:17:42.630 --> 00:17:52.530

5th Floor BOD: which was extended until February 25, 2022 to mitigate any issues associated with an email address error, published in the Department's public notice.

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00:17:53.340 --> 00:18:06.030

5th Floor BOD: No oral comments were received. The sole written comment was received from Kerry F. Connley, General Counsel and Senior Vice President of Healthcare Policy with the Georgia Hospital Association, GHA.

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00:18:07.080 --> 00:18:08.040

5th Floor BOD: And was provided to you.

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00:18:09.120 --> 00:18:20.310

5th Floor BOD: To summarize, the GHA recommends that the Department define the term "rural county" as it is defined in OCGA section 31 6 dash -

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00:18:20.670 --> 00:18:39.270

5th Floor BOD: I'm sorry, section 31 dash 6 dash 232, and to define the term "health care facility" as it is defined in OCGA section 31 dash 6 dash 217. Since proposed rule 111 dash 2 dash 1 dash point 02

138

00:18:39.780 --> 00:19:02.880

5th Floor BOD: 2 H exempts hospitals in a rural county from any Certificate of Need application fees, and proposed rule 111 dash 2 dash 1 dash point 022 K adds to the Department's functions, the study of the amount of uncompensated indigent and charity care provided by each type of healthcare facility.

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00:19:03.990 --> 00:19:16.740

5th Floor BOD: In response, the Department declined to revise proposed rule 111 dash 2 dash 1 in sequence, as it pertains to a definition of "rural county" and "healthcare facility."

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00:19:17.250 --> 00:19:29.730

5th Floor BOD: These terms are already defined in the proposed revisions to 111 dash 2 dash 2 in sequence, and it's under those rules that these terms have practical application

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00:19:30.090 --> 00:19:43.530

5th Floor BOD: as it relates to Certificate of Need application fees, and indigent and charity care commitments. Specifically, "rural county" is already defined in proposed rule 111 dash 2 dash 2 dash point 0152.

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00:19:45.720 --> 00:19:59.220

5th Floor BOD: And the definition of "health care facility," as reflected in house bill 186 is captured in proposed rule 111 dash 2 dash 2 dash point 0128.

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00:20:00.060 --> 00:20:07.380

5th Floor BOD: The Department is requesting consideration of these rules for final adoption today. And I'll be happy to answer any questions regarding the proposed changes.

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00:20:08.640 --> 00:20:09.180

Chairman Boyd: Thank you.

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00:20:10.350 --> 00:20:18.420

5th Floor BOD: If I understand, the bottom line is the answer to the, to the written comment and request for

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00:20:19.230 --> 00:20:32.610

5th Floor BOD: definition was your answer is, it's not necessary because it's already defined. That's correct. Is that the bottom line? Yes. Okay, thank you. Are there, are there any other questions or comments from the Board, please?

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00:20:35.190 --> 00:20:38.640

5th Floor BOD: Hearing none, is there a motion for adoption for final approval?

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00:20:41.400 --> 00:20:43.500

David Crews: Motion for adoption, David Crews.

149

00:20:43.590 --> 00:20:45.180

Cynthia Rucker: Cynthia Rucker, I motion.

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00:20:46.350 --> 00:20:52.440

5th Floor BOD: It has been - a motion has been made for final adoption and seconded. All in favor, say "Aye."

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00:20:53.070 --> 00:20:53.460

Multiple Speakers: Aye.

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00:20:55.470 --> 00:20:56.070

5th Floor BOD: Opposed?

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00:20:57.510 --> 00:21:08.250

5th Floor BOD: Abstaining? Hearing none, it as approved. You may move on to your next item, thank you. Thank you. For the next agenda item, the Office of Health Planning presents for final adoption

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00:21:08.550 --> 00:21:14.040

5th Floor BOD: revisions to the rules found in Chapter 111 dash 2 dash 2 of the Department's rules and regulations.

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00:21:14.460 --> 00:21:26.550

5th Floor BOD: The revisions are necessary in order to reflect legislative amendments to the State Health Planning and Development Act to correct grammar, and to provide clarity, as well as to modernize the rules. As you recall,

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00:21:28.290 --> 00:21:34.710

5th Floor BOD: these proposed rules were presented at the January Board meeting for initial adoption. A draft copy was provided to you.

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00:21:35.160 --> 00:21:44.340

5th Floor BOD: I will review the key changes as follows: the proposed changes make updates to the health plan regulations so as to revise provisions related to

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00:21:44.580 --> 00:21:51.090

5th Floor BOD: Certificate of Need requirements; to revise and provide for new definitions relative to health planning

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00:21:51.690 --> 00:21:56.880

5th Floor BOD: and development; to promote - to prohibit certain actions relating to medical use rights;

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00:21:57.180 --> 00:22:05.910

5th Floor BOD: to revise provisions regarding when a Certificate of Need is required; to authorize destination cancer hospitals to be converted to general cancer hospitals;

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00:22:06.210 --> 00:22:12.750

5th Floor BOD: to revise and provide for additional exemptions to Certificate of Need requirements; to provide for requests and

162

00:22:13.080 --> 00:22:27.840

5th Floor BOD: objections to letters of determination if an activity is exempt or excluded from Certificate of Need requirements; and to provide for annual reports to be made publicly available. Additional changes are proposed to allow for electronic filing.

163

00:22:29.040 --> 00:22:35.490

5th Floor BOD: A public comment hearing was held on February 15, 2022, and written comments were due on before February 18, 2022,

164

00:22:37.920 --> 00:22:48.180

5th Floor BOD: which was extended until February 25, 2022 to mitigate any issues associated with an email address error published in the Department's public notice.

165

00:22:48.600 --> 00:22:56.340

5th Floor BOD: No oral comments were received. The sole written comment was received by Kerry F. Connley, General Counsel and Senior Vice President

166

00:22:56.760 --> 00:23:03.480

5th Floor BOD: of Health Care Policy with the Georgia Hospital Association, and was provided to you. To summarize,

167

00:23:04.410 --> 00:23:18.810

5th Floor BOD: GHA recommended four amendments. First, GHA recommended adding the phrase "...or as directed by the Department," where ever the rule - where ever the proposed rules require submission via the web portal,

168

00:23:19.170 --> 00:23:34.590

5th Floor BOD: in order to avoid challenges as to whether a document was received prior to the statutory deadline. Further recommendation was made to either revise the rules, or post additional instructions on the portal, to address the scenario when the web portal is not available.

169

00:23:35.940 --> 00:23:47.580

5th Floor BOD: In response, the Department states as follows: to avoid confusion, and to streamline processes by ensuring there is a single method for document submission, the Department proposes to add the recommended -

170

00:23:48.360 --> 00:23:56.190

5th Floor BOD: I'm sorry, the Department declines to add the recommended language. In terms of a contingency plan for the rare occasions when the web portal is unavailable,

171

00:23:56.520 --> 00:24:12.090

5th Floor BOD: filers should send timely submissions along with a screenshot showing the unavailability of the web portal to OHP dot help at DCH dot GA dot GOV for handling. The date

172

00:24:12.930 --> 00:24:25.260

5th Floor BOD: and timestamp of such email would serve as a filing date and timestamp. The Department's website will be updated to reflect these instructions. I will pause for any questions related to this first recommendation and the related response.

173

00:24:26.640 --> 00:24:28.890

5th Floor BOD: Any questions, comments from the Board, please?

174

00:24:31.590 --> 00:24:34.770

5th Floor BOD: Hearing none, is there a motion for approval for final adoption?

175

00:24:38.670 --> 00:24:42.390

Cynthia Rucker: Cynthia Rucker, I motion approval.

176

00:24:42.420 --> 00:24:44.250

5th Floor BOD: Dr. Rucker has made a motion for approval. Is there a second?

177

00:24:46.590 --> 00:24:47.430

Russ Childers: Russ Childers seconds.

178

00:24:48.780 --> 00:24:51.510

5th Floor BOD: Russ Childers has seconded that motion. All in favor, say "Aye."

179

00:24:51.510 --> 00:24:51.840

Multiple Speakers: Aye.

180

00:24:53.940 --> 00:24:54.420

ken's iPhone: Aye.

181

00:24:55.980 --> 00:24:56.580

5th Floor BOD: Opposed?

182

00:24:57.990 --> 00:24:58.080

Russ Childers: (sniffle)

183

00:24:58.110 --> 00:25:05.310

5th Floor BOD: Abstaining? Hearing none, they are approved. Thank you so very much. There were three additional recommendations.

184

00:25:06.360 --> 00:25:16.200

5th Floor BOD: Okay. Please proceed. Okay. Thank you. So, secondly GHA recommended that the proposed rule 111 dash 2 dash 2 dash point 064 D

185

00:25:16.560 --> 00:25:20.340

5th Floor BOD: be revised to reflect the Certificate of Need application fee exemptions

186

00:25:20.640 --> 00:25:30.840

5th Floor BOD: for hospitals in rural counties. In response, the Department declines to include the Certificate of Need application fee exemption for hospitals in rural counties in proposed rule 111

187

00:25:31.170 --> 00:25:40.560

5th Floor BOD: dash 2 dash 2 dash point 064 D because this exemption is already reflected in proposed rule 111 dash 2

188

00:25:40.980 --> 00:25:57.450

5th Floor BOD: dash 2 dash point 022 H. The Department will, however, update its Certificate of Need application to include a checkbox for hospitals claiming the fee exemption. I will pause for any questions related to the second recommendation and the related response.

189

00:25:59.040 --> 00:26:00.450

5th Floor BOD: Any questions, comments?

190

00:26:04.590 --> 00:26:07.230

Chairman Boyd: This will require another vote, is that correct?

191

00:26:08.610 --> 00:26:15.840

5th Floor BOD: One vote at the end. One vote at the end, okay. Please proceed. Okay, thank you. Sorry I interrupted you earlier. No, that's okay, that's okay.

192

00:26:16.620 --> 00:26:25.920

5th Floor BOD: Third, GHA advances that since house bill 186 provides a Certificate Need exemption for the restructuring or acquisition of all types of hospitals,

193

00:26:26.190 --> 00:26:39.360

5th Floor BOD: the Department should delete proposed rule 111 dash 2 dash 2 dash point 065 F, which requires applicants for a Certificate of Need to submit additional documentation

194

00:26:39.720 --> 00:26:52.170

5th Floor BOD: if the application involves the acquisition of certain hospitals. In response, the Department declines to delete proposed rule 111 dash 2 dash 2 dash point 065 F

195

00:26:52.560 --> 00:27:08.370

5th Floor BOD: since it contains references to statutes that have not been repealed, specifically OCGA section 31 dash 7 dash 5 - dash 53 C and OCGA section 31 dash 7 dash 57 D.

196

00:27:09.480 --> 00:27:21.150

5th Floor BOD: Further, proposed rule 111 dash 2 dash 2 dash point 065 F states that additional requirements shall be in effect where the application involves the acquisition of a hospital

197

00:27:21.480 --> 00:27:30.870

5th Floor BOD: owned or operated by, or on behalf of, a political subdivision, any combination of such subdivisions, buyer on behalf of the hospital authority emphasis added.

198

00:27:31.320 --> 00:27:42.930

5th Floor BOD: On the other hand, the exemption under OCGA 31 dash 6 dash 47 A 9 is for the expenditures for the restructuring or acquisition of existing healthcare facilities,

199

00:27:43.590 --> 00:27:54.900

5th Floor BOD: and is already reflected in proposed rule 111 dash 2 dash 2 dash point 0310, consistent with house bill 186. I will pause briefly for any questions.

200

00:27:56.010 --> 00:27:58.830

5th Floor BOD: Any questions, comments from the Board, please?

201

00:28:06.180 --> 00:28:13.740

5th Floor BOD: For the fourth and final recommendation, GHA recommends the language and proposed rule 111 dash 2 dash 2 dash point 07

202

00:28:14.130 --> 00:28:22.350

5th Floor BOD: 1 G point 1, regarding who is eligible to oppose a Certificate of Need application, be added to the proposed rule

203

00:28:22.650 --> 00:28:31.590

5th Floor BOD: 111 dash 2 dash 2 dash point 081 regarding the review process for batched Certificate of Need applications.

204

00:28:31.950 --> 00:28:41.610

5th Floor BOD: In response, the Department declined this recommendation, since proposed rule 111 dash 2 dash 2 dash point 071 G point 1

205

00:28:42.090 --> 00:28:50.190

5th Floor BOD: already makes clear that no party may oppose an application for a Certificate of Need unless that party meets the listed criteria.

206

00:28:50.580 --> 00:29:08.460

5th Floor BOD: Further, proposed rule 111 dash 2 dash 2 point 071 G point 1 states overarching Certificate of Need application requirements. I will pause for any questions specific to this fourth and final recommendation and the proposed response.

207

00:29:09.780 --> 00:29:11.100

Chairman Boyd: Any questions, comments?

208

00:29:15.720 --> 00:29:25.650

5th Floor BOD: Okay, the Department is requesting consideration of these rules for final adoption today. I will be happy to answer any overall questions regarding the proposed changes.

209

00:29:27.060 --> 00:29:30.030

Chairman Boyd: If there are no questions, we'll try this one more time.

210

00:29:31.260 --> 00:29:34.080

5th Floor BOD: Is there a motion for approval for final adoption?

211

00:29:37.620 --> 00:29:39.870

Cynthia Rucker: Motion for approval, Cynthia Rucker.

212

00:29:40.830 --> 00:29:43.650

ken's iPhone: Ken Davis, second.

213

00:29:43.950 --> 00:29:46.260

5th Floor BOD: Dr. Davis has seconded. All in favor, say "Aye."

214

00:29:47.460 --> 00:29:47.850

ken's iPhone: Aye.

215

00:29:49.680 --> 00:29:50.340

Chairman Boyd: Opposed?

216

00:29:52.230 --> 00:30:01.230

5th Floor BOD: Abstaining? Hearing none, they are approved. Thank you so very much. And thank the, all the presenters and particularly you, for the work that you did on this.

217

00:30:01.680 --> 00:30:15.420

5th Floor BOD: As we go through it, I know there's a lot of work went on in the background, and thank you for having it to our Board members, a week in advance, so we had all had a chance to review this material in advance. That - that's always appreciated. Thank you. Thank you.

218

00:30:18.330 --> 00:30:28.140

5th Floor BOD: With that I will ask if there are any - anyone know of any new business that needs to come before the Board at this time, or any comments from the Board?

219

00:30:30.300 --> 00:30:34.380

5th Floor BOD: Hearing none, the meeting is adjourned. Our next meeting will be in -

220

00:30:35.670 --> 00:30:43.440

5th Floor BOD: at 10:30am on April 14th. And thank you all so very much this morning for participating, thank you.

221

00:30:43.680 --> 00:30:44.160

Russell Crutchfield: Thank you.