



**Medical Facilities Planning**

**Long-Term and Behavioral Health Committee  
Draft Minutes - September 26, 2008, 1:30 pm**

MEMBERS PRESENT: Dr. T. J. Pulliam, Chair, Don Beaver (via phone), Sen. Anthony Foriest, Ted Griffin, Ken Hodges, Jerry Parks, Tim Rogers
MEMBERS ABSENT: Dr. John Holt, Jr., Frances Mauney
STAFF PRESENT: Floyd Cogley, Diana Barbry, Victoria McClanahan, Dr. Carol Potter
DHSR STAFF PRESENT: Elizabeth Brown, Jeff Horton, Lee Hoffman, Craig Smith

<b>Standing Agenda</b>	<b>Discussion</b>	<b>Motion/ Seconded</b>	<b>Recommendations/ Actions</b>
Welcome & Announcements	Dr. Pulliam welcomed members and guests and indicated that this is not a public hearing. Members and staff introduced themselves.		
Approval of Minutes	Dr. Pulliam referred to the Minutes of the May 16, 2008 meeting. A motion was made to accept the minutes as presented.	Sen. Foriest Mr. Griffin	The motion was unanimously approved.
Nursing Care Facilities Portions of the Proposed 2009 SMFP. Petition and Agency Report.	Mr. Cogley indicated that one petition was received on the Nursing Care Facilities chapter of the Proposed 2009 Plan during the public comment period.  Jason R. Bartell petitioned for an adjusted need determination in Stanly County to allow for development of a 110 bed nursing home. Mr. Cogley briefly reviewed the Agency Report.  A motion was made and seconded to deny the petition.	Mr. Rogers Mr. Parks	The motion was unanimously approved.
Development and recommendation to the Council regarding Nursing Care Facilities.	A motion was made to approve the Nursing Care Facilities policies, assumptions, methodology and need determinations.	Mr. Parks Mr. Beaver	The motion was unanimously approved.
Adult Care Homes Portions of the Proposed 2009 SMFP. Development of recommendation to the SHCC regarding Adult Care Homes.	No petitions or comments were received on the Adult Care Homes chapter of the Proposed 2009 Plan during the public comment period.  A motion was made to approve the Adult Care Homes policies, assumptions, methodology and need determinations.	Mr. Hodges Mr. Griffin	The motion was unanimously approved

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<p>Home Health Services Portions of the Proposed 2009 SMFP. Petition and Agency Report.</p> <p>Development of recommendation to the SHCC regarding Home Health Services</p>	<p>One petition was received on the Home Health Services chapter of the Proposed 2009 Plan during the public comment period.</p> <p>Mr. Cogley indicated that Personal Home Care of NC, LLC, petitioned for:</p> <p>“Inclusion of an adjusted need determination for one home health agency in Mecklenburg County to address the special needs of the non-English speaking, non-Hispanic population. Qualified applicants should show evidence of fluency in multiple languages other than Spanish, including Russian and should have a track record of successfully serving the County.”</p> <p>Mr. Cogley reviewed the Agency Report. Mr. Rogers questioned language in the draft conditions regarding an Agency or Office accepting all referrals and spoke in support of the petition. Mr. Rogers made a motion to approve the petition. The motion was seconded by Mr. Hodges. Mr. Cogley inquired about inclusion of the statement, “. . . should have a track record of successfully serving the County.” Dr. Pulliam referred to a draft of Table 12D that had been prepared for discussion indicating what the conditions might look like. Mr. Parks expressed concern about the petition.</p> <p>Dr. Pulliam asked if Mrs. Hoffman, Chief of the Certificate of Need Section, had any comments. Mrs. Hoffman indicated: there have been home health agency/office need determinations in the past for special need populations; the reporting requirements noted in the conditions are more extensive than in the past and a question would be for how long they would report; she did not think the inclusion of the statement regarding applicants having a track record of successfully serving the County would be appropriate; and, conditions can be imposed related to review criteria and conditions to implement the Plan as outlined in the Plan.</p> <p>Following Committee discussion, the motion was clarified to indicate committee approval of the petition for a need determination in the 2009 Plan for one home health agency in Mecklenburg County to address the special needs of the non-English speaking, non-Hispanic population and that qualified applicants should show evidence of fluency in multiple languages other than Spanish, including Russian. The motion included the conditions as outlined with the caveat that the condition regarding acceptance of all referrals would be modified in consultation with legal council. The condition was modified for presentation to the Council to replace the word “all” with, “within Medicare Conditions of Participation and North Carolina State licensure rules.”</p> <p>A motion was made to approve the Home Health policy, assumptions, methodology and need determination.</p>	<p>Mr. Rogers Mr. Hodges</p> <p>Mr. Rogers Sen. Foriest</p>	<p>The motion passed by a vote of four to two.</p> <p>The motion was unanimously approved.</p>

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Hospice Services Portions of the Proposed 2009 SMFP: Petitions and Agency Reports:	Mr. Cogley indicated three petitions requested removal of hospice home care office need determinations that were in the Proposed 2009 Plan. Mr. Cogley reviewed the Agency Reports on the petitions.		
Petitioner: Hospice of Davidson County	Hospice of Davidson County requested removal of the need determination for a new hospice home care agency in Davidson County. A motion was made to approve the Hospice of Davidson Co. petition	Mr. Parks Mr. Rogers	The motion was unanimously approved
Petitioner: Community Home Care and Hospice	Community Home Care of Vance County, Inc. d/b/a Community Home Care and Hospice requested removal of the need determination for a new hospice home care office in Johnston County. During discussion, note was made that there will be a Hospice Methodologies Task Force to evaluate the need determination methodologies for the Proposed 2010 Plan. A motion was made to approve the Community Home Care of Vance Co. Inc. petition.	Mr. Rogers Mr. Hodges	The motion was unanimously approved
Petitioner: Hospice of Union County	Hospice of Union County requested removal of the need determination for a new hospice home care office in Union County. A motion was made to approve the Hospice of Union County petition.	Mr. Rogers Sen. Foriest	The motion was unanimously approved
Inpatient Petitions, Agency Reports & revised data:	Mr. Cogley briefly reviewed the Agency Report and addressed data revisions. Four petitions requested need determinations for inpatient hospice beds and one petition requested the removal of a need determination for inpatient hospice beds.		
Petitioner: Hospice & Palliative Care Center of Alamance-Caswell	Hospice and Palliative Care Center of Alamance-Caswell requested an adjusted need determination for five additional hospice inpatient beds in Alamance County. Sen. Foriest inquired if he should recuse himself from voting given that he represented Alamance County in the State Senate. Dr. Pulliam indicated that that would not be a reason to declare a conflict of interest. It is noted that there would be a need determination for five beds in the 2009 Plan unless revised data results in a need determination for six or more beds. A motion was made to approve the Hospice and Palliative Care Center of Alamance-Caswell petition	Mr. Griffin Mr. Rogers	The motion was unanimously approved
Petitioner: Home Care Services of Haywood Regional Medical Center	Home Care Services of Haywood Regional Medical Center requested an adjusted need determination for six hospice inpatient beds in Haywood County. Motion was made to approve the Haywood Regional Medical Center petition.	Sen. Foriest Mr. Rogers	The motion was unanimously approved
Petitioner: Hospice of the Carolina Foothills	Hospice of the Carolina Foothills requested elimination of the need determination for six inpatient hospice beds in Polk County. A motion was made to approve the Hospice of the Carolina Foothills petition.	Mr. Parks Mr. Griffin	The motion was unanimously approved
Petitioner: Hospice of Scotland County	Hospice of Scotland County requested an adjusted need determination for two hospice inpatient beds for Scotland County. A motion was made to approve the Hospice of Scotland	Mr. Hodges Mr. Rogers	The motion was unanimously

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<p>Petitioner: Hospice of Wake County</p> <p>Development of recommendation to the SHCC regarding Hospice Services</p>	<p>County petition</p> <p>Hospice of Wake County requested an adjusted need determination for ten hospice inpatient beds for Wake County. Noted was the Agency's assumption that the relocation of six hospice beds from Rex Hospital to the new inpatient facility that is being developed and has received a certificate of need would not trigger application of Plan Policy GEN-2. Also noted was that anyone may apply for the ten bed need determination being requested for the 2009 Plan. A motion was made to approve the Hospice of Wake County petition.</p> <p>A motion was made to approve the Hospice assumptions, methodologies and need determinations. It was noted that this would include the adjustments.</p>	<p>Mr. Rogers Sen. Foriest</p> <p>Mr. Hodges Mr. Rogers</p>	<p>approved</p> <p>The motion was unanimously approved</p> <p>The motion was unanimously approved.</p>
<p>ESRD Dialysis Portions of the Proposed 2009 SMFP</p> <p>Development of recommendation to the SHCC regarding Dialysis Facilities</p>	<p>Ms. McClanahan noted that the Agency received no petitions or comments related to ESRD over the summer and that the Agency recommended no changes to Chapter 14 for the Final Plan, except for inventory updates.</p> <p>A motion was made and seconded to approve Chapter 14 with inventory updates.</p>	<p>Mr. Beaver Mr. Griffin</p>	<p>The motion was unanimously approved.</p>
<p>Psychiatric Inpatient Services Portions of the Proposed 2009 SMFP. Review of the revised tables for Chapter 15</p> <p>Review of Psychiatric Inpatient Services Petition and Agency Analysis.</p> <p>Development of recommendation to the SHCC regarding Psychiatric Inpatient Services.</p>	<p>Dr. Potter reviewed revised Tables for Chapter 15. She noted that In July 2008, Foothills LME merged with Smoky Mountain Center LME, which resulted in revised Tables 15A, 15B and 15C. It was recommended that the revised Tables be adopted, and that staff be authorized to continue to update inventory and make corrections as indicated. A motion was made to adopt the revised tables.</p> <p>There was one petition from Crossroads Behavioral Health requesting that the State Health Coordinating Council:</p> <ol style="list-style-type: none"> <li>1) Modify the proposed language in the 2009 State Medical Facilities Plan to require new psychiatric beds to be designated involuntary if the Local Management Entity (LME) needs beds for involuntary admissions; and,</li> <li>2) Prohibit the conversion of skilled care beds to psychiatric beds, and retain the provision requiring the conversion of excess licensed acute care beds to inpatient psychiatric beds.</li> </ol> <p>Dr. Potter reviewed the Agency report on the petition.</p> <p>A motion was made and seconded to deny the petition.</p> <p>A motion was made and seconded to approve the Psychiatric Inpatient Services policy, assumptions, methodologies and need determinations.</p>	<p>Mr. Parks Sen. Foriest</p> <p>Mr. Parks Sen. Foriest</p> <p>Mr. Hodges Mr. Griffin</p>	<p>The motion was unanimously approved.</p> <p>The motion was unanimously approved.</p> <p>The motion was unanimously approved</p>

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<p>Substance Abuse Inpatient and Residential services portions of the Proposed 2009 SMFP. Review of revised tables for Chapter 16</p> <p>Development of recommendation to the SHCC regarding Substance Abuse Inpatient and Residential Services</p>	<p>Dr. Potter reported that the Agency received no petitions or comments related to Chapter 16 over the summer. Dr. Potter reviewed revised Table 16B for Chapter 16 with members, noting changes resulting from the July 2008 merger of Foothills LME with Smoky Mountain Center LME.</p> <p>A motion was made and seconded to adopt the revised Table 16B.</p> <p>A motion was made and seconded to approve the Substance Abuse Inpatient and Residential Services assumptions, methodologies and need determinations.</p>	<p>Mr. Griffin Sen. Foriest</p> <p>Mr. Hodges Mr. Parks</p>	<p>The motion was unanimously approved.</p> <p>The motion was unanimously approved.</p>
<p>Intermediate Care Facilities for the Mentally Retarded portions of the Proposed 2009 SMFP. Development of recommendation to the SHCC regarding Intermediate Care Facilities for the Mentally Retarded.</p>	<p>Dr. Potter indicated that the final plan would include updated Tables 17A and B. To date, the updates do not affect need determinations.</p> <p>A motion was made and seconded to approve the Intermediate Care Facilities for the Mentally Retarded policy, assumptions, methodologies and need determinations.</p>	<p>Mr. Hodges Mr. Rogers</p>	<p>The motion was unanimously approved.</p>
<p>Other Business</p>	<p>A motion was made to authorize staff to update narrative, tables and need determinations as data is received between the committee meeting and Council meeting.</p> <p>Committee members discussed and agreed to have two Committee meetings next year, one on May 15, 2009 at 10 am, and the second on September 25, 2009 at 10 am.</p>	<p>Mr. Rogers Mr. Parks</p>	<p>The motion was unanimously approved. Meeting dates were set.</p>
<p>Adjournment</p>	<p>There being no further business, the meeting adjourned.</p>		<p>Meeting adjourned.</p>