**CON Task Force Requested Information**

The following is information that was requested by the CON Task Force at the April 12, 2016 meeting.

1. **Information on CON programs in Other States –** At the May 16th CON Task Force meeting, a detailed overview of CON Programs in other states, national results achieved by CON programs, and the landscape of health care systems with and without CON programs will be provided by Tom Piper, consultant and CON expert who conducted the 2014 OHCA Assessment.

**Resource:** Additional information on CON history and implementation in other states can be found on the [web site](http://www.ncsl.org/research/health/con-certificate-of-need-state-laws.aspx) for the National Conference of State Legislatures.

1. **Medicaid Diagnostic Related Group (DRG) Data –** The Department of Social Services’ (DSS) is compiling DRG information and will share it with the Task Force in the near future.
2. **Update on Health Care Cabinet, State Innovation Model (SIM) and the All Payer Claims Database (APCD) and Effect of US Supreme Court (SCOTUS) Decision on APCD Efforts –** An update will be given by Vicki Veltri at the May 16th CON Task Force Meeting. Additionally, attached are written updates on the SCOTUS decision provided to the APCD Task Force on April 28, 2016 by Tamim Ahmed, Executive Director. The SCOTUS decision can be read in full at [Gobeille v. Liberty Mutual Insurance Company](http://www.supremecourt.gov/opinions/15pdf/14-181_5426.pdf).

**Attachment #1 Attachment #2**

 

1. **Process for Assessing Hospitals for OHCA Expenses** – Connecticut General Statutes (CGS) sections 19a-631, 19a-632, and 19a-632a provide the authority and calculation for OHCA to assess short-term acute care general hospitals for expenses incurred by OHCA related to the overall functions and processes of OHCA, including the CON process. The attached document summarizes the hospital assessment procedure.

**Attachment #3**

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1. **OHCA Updated Report on Hospital Acquisitions, Conversations and Related Applications -** Attached is the OHCA *Hospital Acquisitions and Related CON Applications* report updated through April 29, 2016.

**Attachment #4**

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1. **Member Q&A Between Meetings -** Below are questions asked by Task Force members between meetings and the answers from OHCA:

**Q1:** During her presentation, Kimberly Martone said that for the cost and market analysis the consultants will be “hired and paid for by the applicants.” I thought her presentation was actually very informative, and she responded to some tough questions, but this is a serious issue. The drafters of SB 811 (became [PA 15-146](https://www.cga.ct.gov/2015/ACT/pa/pdf/2015PA-00146-R00SB-00811-PA.pdf) ) were very conscious that the consultant needs to be independent and hired by OHCA. Highlighted statute text is below. I wonder if you could follow up and ask her to clarify the agency’s position for next meeting.

**C.G.S. Public Act 15-146; Section 29(j)-(k)**

(j) The office shall retain an independent consultant with expertise on the economic analysis of the health care market and health care costs and prices to conduct each cost and market impact review, as described in this section. The office shall submit bills for such services to the purchaser, as defined in subsection (d) of section 19a-639 of the general statutes, as amended by this act. Such purchaser shall pay such bills not later than thirty days after receipt. Such bills shall not exceed two hundred thousand dollars per application. The provisions of chapter 57 of the general statutes, sections 4-212 to 4-219, inclusive, of the general statutes and section 4e-19 of the general statutes shall not apply to any agreement executed pursuant to this subsection. (k) Any employee of the office who directly oversees or assists in conducting a cost and market impact review shall not take part in factual deliberations or the issuance of a preliminary or final decision on the certificate of need application concerning the transfer of ownership of a hospital that is the subject of such cost and market impact review.

**A1: (Answer provided verbally by Kevin Hansted, Staff Attorney, OHCA):** Per P.A. 15-146, OHCA will contract with an independent consultant to conduct the market impact analysis. The applicant is responsible to pay the costs of the market impact analysis consultant, but will not identify nor directly enter into a contract with the Consultant.

**Q2:** Has CON undergone the LEAN process (a systematic process that is used to create greater efficiencies through location and elimination of waste. Waste being any step that does not add value)?

**A2** **(provided in writing by OHCA CON program staff):** In 2013 OHCA staff participated in a LEAN event with the following goals:

1. Standardize forms & decision components (info, analysis & format);
2. Improve overall quality and consistency of decisions;
3. Reduce the number of revise/edit loops (submit/revise/submit);
4. Reduce the completion time of the draft decision.

Results of the LEAN Event to Date

* Reduced the number of steps in the process (-2);
* Formulated a more standardized review process (analysis, document format) that decreased processing and editing time and improved overall decision quality;
* Reduced processing time and improved application progress tracking through the implementation of updated desktop tools; and
* Reduced revise edit loops by 30%.

The attached documents include 1) a summary of 2013 LEAN Event and a 2014 presentation of detailing the LEAN Event and Results.

**Attachment #5 Attachment #6**

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1. **CON Process Overview and Additional Resources**

In response to numerous questions asked at the April 12th Task Force meeting the attached two documents were created: (1) A CON program overview; (2) A document with links to additional CON and OHCA data sources.

**Attachment #7 Attachment #8**

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