

**NOTICE  
DEPARTMENT OF HUMAN SERVICES  
OFFICE OF LONG-TERM LIVING**

**Public Comments Regarding Bed Transfer Requests**

Under 55 Pa. Code § 1187.173 (review and public process relating to bed expansion requests), the Department of Human Services (Department) is required to post written public comments regarding bed expansion requests.

The following comment was written in response to Fox Subacute Management, Inc.'s request to construct a sixty-bed facility in Allegheny County.



August 1, 2018

Department of Human Services  
Office of Long Term living  
Bureau of Quality and Provider Management  
Division of Monitoring and Compliance  
Forum Place, 6<sup>th</sup> Floor  
555 Walnut Street  
Harrisburg, PA 17101  
ATTN: Participation Review

RE: Fox Subacute Management Inc.  
JJ18001

Ladies and Gentlemen,

On June 28, 2018, Fox Subacute Management filed an application requesting approval of 60 new Medical Assistance beds in Allegheny County. Per the application, the facility would be located at 1612 Mayview Road in Bridgeview, PA. The application further states that the purpose of the Bed Request is

to care for long-term, mechanically ventilated residents.

The Pulmonary Institute at Redstone requested approval of 60 new Medical Assistance bed licenses for Allegheny and Westmoreland County on June 30, 2017. As of this date, The Pulmonary Institute at Redstone's Bed Request application has been denied and is under appeal before the Department of Human Services, Bureau of Hearings and Appeals. The Pulmonary Institute at Redstone respectfully provides the following comments to application JJ18001.

1. The Pulmonary Institute at Redstone agrees with Fox Subacute Management that there will be a need for long-term, mechanical ventilation services in the Greater Pittsburgh area. As stated in application JJ18001, the Managed Care Organizations will need to move high-cost ventilated patients out of hospitals as quickly as possible to lower cost healthcare options.
2. The Pulmonary Institute at Redstone has contended that there is a need in the Greater Pittsburgh area for specialty long-term ventilator beds. In the application, Fox Subacute Management states that they have received 173 referrals from the Pittsburgh market over the last three years due to the lack of specialty ventilator care in the area. This information reinforces The Pulmonary Institute's contention that specialty ventilator beds are needed in the area.
3. The Pulmonary Institute's initial application for 60 new Medical Assistance beds JJ17001, demonstrated referrals in the Greater Pittsburgh area would support a 60-bed specialized, mechanical ventilator facility. Furthermore, additional information on the market demand for long-term mechanically ventilated patients was requested by the Bureau of Quality and Provider Management, which The Pulmonary Institute has submitted. This information clearly shows that the Greater Pittsburgh market can support one 60-bed facility, but not an additional 60-bed facility serving the needs of long-term, mechanically ventilated patients.
4. With respect to the Bed Request application filed at JJ18001, the application itself does not meet the criteria for the granting of Bed Request applications set forth in the DHS regulation at 55 Pa. Code §1187.176. The application is not submitted on the form required by the Participation Review Unit and does not respond to many of the questions set forth in that form. There is no data submitted addressing the specific criteria in 55 Pa. Code §1187.176(a)(2) supporting the need for additional MA-certified nursing facility beds in the primary service area and the primary service area is not defined in the application. In summary, granting the inadequate application filed at JJ18001 while denying The Pulmonary Institute's application would be an arbitrary decision, inconsistent with DHS regulations and the criteria for granting of Bed Requests.

For the reasons outlined above, The Pulmonary Institute respectfully requests that application JJ18001 be denied.

Sincerely,



Nicholas Kozinko  
Chief Clinical Officer  
The Pulmonary Institute at Redstone

Teresa Miller  
Secretary