

## HOSPITAL BED CAPACITY CHANGES

Below is most of the information needed to begin a proposal to add, expand, adjust, or repurpose beds at your licensed facility or facilities.

The waiver to expedite bed changes or additions is from the Governor via the Emergency Order 2020-13 and is specifically for the Certificate of Need (CON) process. The hospital or nursing home should first contact MDHHS Certificate of Need section at [https://www.michigan.gov/mdhhs/0,5885,7-339-71551\\_2945\\_5106-122781--,00.html](https://www.michigan.gov/mdhhs/0,5885,7-339-71551_2945_5106-122781--,00.html) to initiate this process, presumably by filing an emergency CON when proposing bed additions or changes to bed locations outside of the licensed site or licensed use. The process should always initiate and begin with a contact to and response from the Michigan Department of Health and Human Services (MDHHS) Certificate of Need (CON) Section. They will determine if the licensed health facility needs to file for an emergency CON.

In all cases, whether an emergency CON is needed or it is determined one is not required, a licensed facility should still submit the following documents and paperwork to the Licensing and Regulatory Affairs (LARA) Bureau of Community and Health Systems (BCHS) State Licensing Section. These documents can be submitted at the same time and in parallel with your emergency CON to MDHHS if one is required or they can be submitted independently to LARA-BCHS State Licensing if an emergency CON is not needed (ex: an emergency CON might not be needed if your facility is not asking for new beds but is just moving beds around at a licensed site):

These LARA-BCHS forms are attached and can be found here:

[https://www.michigan.gov/lara/0,4601,7-154-89334\\_63294\\_72971\\_75424---,00.html](https://www.michigan.gov/lara/0,4601,7-154-89334_63294_72971_75424---,00.html)

or here:

[https://www.michigan.gov/lara/0,4601,7-154-89334\\_63294\\_63384\\_75668---,00.html](https://www.michigan.gov/lara/0,4601,7-154-89334_63294_63384_75668---,00.html)

Please remember that requests for additional bed capacity require Bureau of Fire Services and Health Facilities Engineering Section approvals as well. Both these agencies are within LARA and we will all work to expedite the process.

### CMS Priority Exception Request

#### Process to submit a **Priority Exception Request:**

There is no special form required to make a priority exception request. The burden is on the applicant to provide data and other evidence that effectively establishes the probability of serious, adverse beneficiary healthcare access consequences if the provider is not enrolled to participate in Medicare. CMS will not endorse any request that fails to provide such evidence and fails to establish the special circumstances surround the provider's request.

If the hospital were to file for Priority Exception, they would send a request letter and supporting documentation of the serious access of care consequences to our office for recommendation from the SA. They should also include in the request that *a swing bed designation would increase the health care capacity during this public health emergency by freeing up hospital beds across the state.* The SA would then promptly submit the Priority Exception Request to CMS for consideration.

