

COMMENTS ON PROPOSED CERTIFICATE OF NEED FOR HOME HEALTH
Submitted by BAYADA Home Health Care, Inc.
August 10, 2022

BAYADA Home Health Care Inc., hereafter BAYADA, submits comments to support the 2023 State Medical Facility Plan (SMFP) Certificate of Need (CON) methodology for Medicare-certified home health agencies (Chapter 12); to maintain the 2023 proposed need determinations in 6 geographic areas; and to establish a future SHCC workgroup to review and modernize, if necessary, the CON methodology for home health agencies.

Thank you for the opportunity to submit written comments regarding the 2023 SMFP for Medicare-certified home health agencies. BAYADA currently has nine Medicare-certified home health offices, 32 home care offices and 2 hospice home care offices in North Carolina.

BAYADA supports the CON process in North Carolina

BAYADA supports the long-standing CON review process. We recognize and applaud the thoughtful and diligent efforts of the Healthcare Planning and Certification of Need Section staff who analyzed and prepared the proposed 2023 SMFP using the established methodology outlined in Chapter 12.

BAYADA recognizes the high number of 2023 CONs proposed reflects recent population growth, not an error in the methodology.

BAYADA supports the proposed 2023 home health need determinations in 6 geographic areas as conforming with the established criteria as indicated below.

BAYADA recognizes that 12 CONs in one year, including the 3 (Edgecombe, Granville, Montgomery) triggered under criterion 1 and 2 policy, are highly unusual. While unprecedented, it may not be unexpected. We are at an inflection point due to an aging population and high migration into the state. Between January 2020 and July 2021, North Carolina was the fourth fastest growing state in the nation, according to the [Office of NC State Budget Management](#). And the older [adult population \(65+\) increased by 19%](#) as baby-boomers enter retirement age. [OSMB projects that by 2028 that one in five North Carolinians](#) will be at least 65 years old. Given that the established methodology uses verifiable metrics, such as population growth, as an integral part of the calculation of need, it is not unexpected that so many CONs were triggered this year. Since the pandemic, NC has seen tremendous growth especially in the areas where need determinations are shown.

Below are the strongest examples of counties that experienced a 20% or greater 65+ population growth rate or an overall population growth rate of 1% or greater in the period of April 2020 through July 2021. These same counties had a corresponding need determination.

- Brunswick: **33% growth** 65+population, 5.5% overall growth
- Edgecombe: **21.1% growth** in 65+ population
- New Hanover: **18.9% growth 65+** population, 1.5% overall growth
- Pitt: **14.3% growth** in 65+ population, 1.1% overall growth

In 2024, we would not expect as many CONs unless North Carolina continues to experience tremendous growth.

BAYADA supports a future workgroup to review the home health methodology to review and modernize, if necessary, the formulation.

The established process has been in place and working well using verifiable metrics supporting the principles of CON. This process has assured safety and access to high-quality care that is cost effective. We recognize that care delivery is evolving, and thus, the formulation may need to be reviewed in the future.

We encourage the SHCC to establish a workgroup to review and modernize the need determination methodology to account for changes in care delivery, advances in technologies, or other criterion impacting safe and effective home health care services. The workgroup should be chaired by an impartial individual who is familiar with established process and who is above public scrutiny with no vested interest.

We appreciate the opportunity to submit comments.

Sincerely

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