

VIRGINIA DEPARTMENT OF HEALTH

Office of Licensure and Certification

Staff Analysis

April 10, 2020

Bon Secours St. Mary's Hospital, LLC (4/3/2020)

Richmond, Virginia

Temporarily add 19 ICU Beds at St. Mary's Hospital

Hospital

Bon Secours St. Mary's Hospital, LLC. ("St. Mary's") is a nonprofit limited liability company. St. Mary's is located in Health Planning Region ("HPR") IV, Planning District ("PD") 15.

Background

On March 12, 2020, Governor Ralph Northam declared a state of emergency throughout Virginia in response to the coronavirus pandemic. Subsequent to this declared state of emergency, on March 20, 2020, Governor Northam signed Executive Order 52 ("EO 52") providing that notwithstanding the provisions of Article 1.1 of Chapter 4 of Title 32.1 of the Code of Virginia the State Health Commissioner ("Commissioner"), at his discretion, may authorize any general hospital or nursing home to increase licensed bed capacity as determined necessary by the Commissioner to respond to increased demand for beds resulting from COVID-19. Such beds authorized by the Commissioner under EO 52 would, notwithstanding Virginia Code § 32.1-132, constitute licensed beds that do not require further approval or the issuance of a new license.

Per the 2018 data provided by Virginia Health Information ("VHI"), St. Mary's operates an inventory of 391 beds (**Table 1**). St. Mary's is taking all reasonable efforts to reduce inpatient census to free beds to respond to the COVID-19 crisis, including complying with the March 25, 2020 Order of Public Health Emergency 2.

Request

St. Mary's cites an emergent need to expand bed capacity due to the sudden and overwhelming increase in acute care cases resulting from COVID-19 infection. Specifically, St. Mary's requests authorization to temporarily add 19 intensive care unit ("ICU") beds. The requested ICU beds will be located in St. Mary's ambulatory surgery unit ("ASU") on the 7th floor of the hospital, with all necessary support space for pre and post-operative services as well as a post-anesthesia care unit ("PACU"). The ASU is located in a distinct part of the hospital from the main surgery suite, which is on the first floor. Since there is currently no caseload being performed in the ASU, it is available to convert to this temporary use. These temporary beds are all equipped with oxygen, medical gases

and vacuum capabilities, and are monitored. The resulting bed configuration at St. Mary's is shown in Table 1.

Table 1: St. Mary's Requested Temporary Bed Inventory

Bed Type	Existing Beds	Requested Additional Beds	Resulting Available Beds
Adult ICU	34	19	53
Med/Surg	251	0	251
Obstetric	33	0	33
Pediatric	29	0	29
Pediatric ICU	12	0	12
Psychiatric Bed - Other Adult	32	0	32
Total	391	19	410

Source: VHI (2018)

Considerations

In determining whether a need exists for the requested additional bed capacity, the State Health Commissioner established the following factors for consideration, when applicable.

1. Ongoing efforts to increase the availability of existing beds, such as suspension of elective procedures:

St. Mary's has made assurances that, in an effort to free up existing capacity, and in compliance with the March 25, 2020 Order of Public Health Emergency 2, they have suspended all non-essential procedures and surgeries.

2. The availability of professional and ancillary staff to provide care in the additional beds:

St. Mary's has made assurances that it has the necessary professional staff to provide care in the additional beds. Staff temporarily displaced by the curtailing of non-essential surgery that used to be performed in the ASU will be used to staff the additional ICU beds and provide care in a safe and effective environment of care.

3. The availability of medical supplies and personal protection equipment in the facility:

St. Mary's has made assurances that it has sufficient access to available medical supplies and personal protection equipment ("PPE") in the facility. As part of Bon Secours Mercy Health, St. Mary's works with sister facilities in Richmond, Hampton Roads, and nationwide for access to all necessary medical supplies and PPE. In addition, St. Mary's has initiated the reprocessing of N95 masks to ensure adequate supply. The Virginia Disaster Medical

Advisory Committee (“VDMAC”) has suggested moving toward the adoption of crisis standards of care to, in part, preserve available supplies.

4. The specific plan for increasing bed capacity:

St. Mary's requests authorization to temporarily add 19 ICU beds. The requested beds will be located in St. Mary's ASU on the 7th floor of the hospital, with all necessary support space for pre- and post-operative services as well as a post anesthesia care unit. The ASU is located in a distinct part of the hospital from the main surgery suite, which is on the first floor. Since there is currently no caseload being performed in the ASU, it is available to convert to this temporary use. These temporary beds are all equipped with oxygen, medical gases and vacuum capabilities, and are monitored.

5. Where the beds will be located and the life safety code considerations of the location:

St. Mary's intends to locate the requested ICU beds within the existing hospital in the ASU, located on the 7th floor of the hospital. The ASU is located in a distinct part of the hospital from the main surgery suite, which is on the first floor. The ICU beds will be located in an existing part of St. Mary's Hospital that is already in use for patient care, therefore the space meets life safety code requirements for the type of patients or residents expected to occupy the space.

6. The availability of beds at other community hospitals and nursing homes in the community:

Per the 2018 data provided by VHI, there are 3,448 licensed inpatient beds in PD 15, of which 1,837 are medical surgical beds and 368 ICU beds. The overall bed capacity data does not inherently take into account the extent to which, due to the rapid rate of infection of COVID-19, how many new cases may arise, and thereby overwhelm St. Mary's and the area's, capacity to treat patients, thereby jeopardizing the quality of care for residents of PD 15. St. Mary's proposal increases their bed capacity by 4.9%, and is a 0.5% increase in bed capacity in the PD.

7. Other alternatives to adding bed capacity:

As discussed, given that St. Mary's has already provided assurances that they have suspended all of elective procedures, as well as the difficulty in anticipating how many cases of COVID-19 may arise in PD 15, the addition of beds in space that has been freed up as a result of the cancelation of all non-essential procedures and surgeries in an existing medical care facility represents the best option.

8. The current state of COVID-19 in the community:

At the time of this writing, the Virginia Department of Health reports that Virginia has 4,509 positive cases of COVID-19, the illness caused by the virus, and 121 deaths.¹ To date, the Centers for Disease Control and Prevention has confirmed 427,460 cases in the United States, with 14,696 deaths.² Richmond City Health District currently reports 139 COVID-19 patients, with another 521 COVID-19 patients in the surrounding jurisdictions.

Findings and Conclusions

St. Mary's requests authorization to temporarily add 19 ICU beds. The requested ICU beds will be located in the ASU, located on the 7th floor of the hospital. DCOPN finds that, due to the sudden and overwhelming increase in acute care cases resulting from COVID-19 infection throughout the Commonwealth, St. Mary's has an immediate need to temporarily add 10 ICU beds.

Furthermore, DCOPN finds that St. Mary's plan for training and shifting staff is a reasonable solution for staffing the requested beds. Additionally, DCOPN concludes that St. Mary's plan and ability to obtain equipment and supplies is reasonable within the confines of the current crisis. Moreover, DCOPN finds that St. Mary's plan to expand bed capacity in existing hospital space assures patient safety is maintained from a fire and life safety code perspective. DCOPN finds that in the absence of a temporary increase to bed capacity in the PD, it is conceivable that the continued rise of COVID-19 cases could overwhelm the hospital's capacity to treat patients, thereby jeopardizing the quality of care for residents of PD 15, and limit the ability of health care providers adequately treat and limit the spread of the virus.

Staff Recommendations

The Division of Certificate of Public Need recommends the **approval** of Bon Secours St. Mary's Hospital, LLC's request to temporarily add 19 ICU bed at Bon Secours St. Mary's Hospital. This staff recommendation is based on the following findings.

1. St. Mary's has demonstrated that, due to the reasonable expectation of a sudden and overwhelming increase in acute care patients resulting from COVID-19 infection, St. Mary's has an immediate need to temporarily add 19 licensed inpatient beds.
2. St. Mary's plan for training and shifting ambulatory staff is a reasonable solution for staffing the additional beds.
3. St. Mary's plan and ability to obtain equipment and supplies is reasonable within the confines of the current crisis.
4. St. Mary's plan to expand bed capacity in existing hospital space throughout the campus assures patient safety is maintained from a fire and life safety code perspective.

¹ <http://www.vdh.virginia.gov/coronavirus/>

² https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fcases-in-us.html