

# VIRGINIA DEPARTMENT OF HEALTH

## Office of Licensure and Certification

### Staff Analysis

March 30, 2020

#### **University of Virginia Medical Center (3/27/2020)**

University of Virginia Medical Center, University Hospital  
Charlottesville, Virginia

Temporarily add 84 Beds at University Hospital, University of Virginia Medical Center

#### **Hospital**

The University of Virginia Medical Center (“UVAMC”) is a state-owned, academic health care center operated under the authority of the Rector and Visitors of the University of Virginia. UVAMC is a comprehensive tertiary teaching hospital. The medical center is composed of an integrated network of primary and specialty services that include the Emily Couric Clinical Cancer Center (the Cancer Center), the UVA Children’s Hospital, the Heart and Vascular Center, the Digestive Health Center of Excellence, a Level I Trauma Center, the Blue Ridge Poison Center, and more than 60 outpatient clinics located on the main hospital campus and in surrounding Albemarle County. UVAMC is located in Charlottesville, Virginia, Planning District (“PD”) 10, Health Planning Region (“HPR”) I.

#### **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. At the time of this writing, the Virginia Department of Health reports that Virginia has 1,020 "presumptive positive" cases of COVID-19, the illness caused by the virus, and 25 deaths.<sup>1</sup> To date, the Centers for Disease Control and Prevention has confirmed 122,653 cases in the United States, with 2,112 deaths.<sup>2</sup>

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

<sup>2</sup> [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](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)

Per the 2018 data provided by Virginia Health Information, UVAMC operates an inventory of 612 beds. UVAMC is exempt from the requirement to be licensed per the Code of Virginia § 32.1-124.

**Table 1: UVAMC Bed Inventory**

Bed Type	Beds
ICU	129
Med/Surg	364
Obstetric	39
Pediatric	55
Psychiatric	25
<b>Total</b>	<b>612</b>

Source: VHI (2018)

In 2018, the last year for available Virginia Health Information data, UVAMC’s average occupancy was 78.1%, meaning that during average operations there were 134 vacant beds. UVAMC is taking all reasonable efforts to reduce inpatient census to free beds to respond to the COVID-19 crisis, including complying with the 25 March 2020 Order of Public Health Emergency 2. While current census at UVAMC is not known it is expected that it is considerably lower than the 478 average during normal operations.

**Request**

UVAMC 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, UVAMC requests authorization to temporarily add 84 beds. UVAMC currently projects the need for an additional 84 beds, but emphasizes the need to have flexibility in designating the beds as either medical/surgical or ICU. The requested beds will be located on floors 3, 4 and 5 of the newly constructed “Bed Tower” at University Hospital. The resulting bed configuration at UVAMC is shown in Table 2.

**Table 2: UVAMC Requested Temporary Bed Inventory**

Bed Type	Beds	Requested Additional Beds	Resulting Available Beds
ICU	129	0	129
Med/Surg	364	0	364
ICU-Med/Surg Flex	0	84	84
Obstetric	39	0	39
Pediatric	55	0	55
Psychiatric	25	0	25
<b>Total</b>	<b>612</b>	<b>84</b>	<b>696</b>

## 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:**

UVAMC has made assurances that, in an effort to free up existing capacity, and in compliance with the 25 March 2020 Order of Public Health Emergency 2, they have suspended all elective procedures that, if delayed, are not anticipated to cause harm to the patient with exceptions and as provided below.

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

UVAMC has made assurances that it has the necessary professional staff to provide care in the additional beds. UVAMC contends that they have been working quickly to develop the most likely staffing models for the new beds, and anticipate that much of the need will be met by existing staff re-deployed from current assignments. This redeployment will be made possible in part by, effective March 26, 2020, rescheduling elective cases that can be postponed without risk to the patient, as well as postponement and rescheduling of outpatient clinic appointments and non-urgent outpatient procedural and imaging appointments. UVAMC expects that with the postponement of elective procedures and the decrease in outpatient visits, there will be additional staff available to provide inpatient services.

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

UVAMC has made assurances that it has sufficient access to available medical supplies and personal protection equipment in the facility. The 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:**

UVAMC intends to add the beds to floors 3, 4 and 5 of the newly constructed “Bed Tower” at University Hospital. At this time, the planned use of the beds is supplementation of normal operations based on existing occupancy by COVID-19 patients. However, because the beds are located in a structure that can be physically isolated from the rest of the hospital should circumstances require such measures, it is possible that these beds could be used solely for COVID-19 patients.

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

UVAMC intends to add the beds to floors 3, 4 and 5 of the newly constructed “Bed Tower” at University Hospital. The 3rd, 4th, and 5th floors of UVAMC's new bed tower have all been approved by the Office of the State Fire Marshall for life safety code (LSC). Per the LSC surveyor, the UVAMC, “Patient Care Floors 3, 4 and 5 meet the requirements of the 2012 NFPA 101, Life Safety Code, Chapter 18, 28 beds each floor.” 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 Virginia Health Information (VHI), there are 878 inpatient beds in PD 10, including 40 long term acute care and 50 inpatient rehabilitation beds. There are 788 acute care beds available of which 141 are intensive care unit 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 UVAMC’s and the area’s capacity to treat patients, thereby jeopardizing the quality of care for residents of PD 10. UVAMC’s proposal increases their bed capacity by 14% and is a 10% increase in bed capacity in the planning district. More importantly, because UVAMC proposes that the added beds be available to flex between intensive care and medical/surgical, the request represents a potential 60% increase in available intensive care beds in PD 10, from 141 to 225 ICU beds.

**7. Other alternatives to adding bed capacity:**

As discussed, given that the applicant has already provided assurances that they have suspended all of elective procedures, and the high bed occupancy rate, as well as the difficulty in anticipating how many cases of COVID-19 may arise in PD 10, the addition of beds in space that is just coming online represents the best option.

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

As previously discussed, at the time of this writing, the Virginia Department of Health reports that Virginia has 1,020 "presumptive positive" cases of COVID-19, the illness caused by the virus, and 25 deaths.<sup>3</sup> To date, the Centers for Disease Control and Prevention has confirmed 122,653 cases in the United States, with 2,112 deaths.<sup>4</sup> Thomas Jefferson Health District currently has the seventh highest number of COVID-19 patients in the Commonwealth with 46 confirmed cases, as of this writing.

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<sup>3</sup> <http://www.vdh.virginia.gov/coronavirus/>

<sup>4</sup> [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](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)

### **DCOPN Findings and Conclusions**

UVAMC proposes to temporarily add 84 beds. UVAMC intends to add the beds to floors 3, 4 and 5 of the newly constructed “Bed Tower” at University Hospital. DCOPN finds that, due to the sudden and overwhelming increase in acute care cases resulting from COVID-19 infection throughout the Commonwealth, that UVAMC has an immediate need to temporarily add 84 beds. Though inpatient beds throughout PD 10 have been demonstrably underutilized historically, UVAMC has demonstrated that the rapid rise in COVID-19 cases has created an emergent need for a temporary increase in bed capacity. In the absence of a temporary increase to bed capacity in the planning district, 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 10, and limit the ability of health care providers adequately treat and limit the spread of the virus.

### **DCOPN Staff Recommendations**

The Division of Certificate of Public Need recommends the **approval** of the University of Virginia Medical Center’s request to temporarily add 84 beds at University Hospital. DCOPN’s recommendation is based on the following findings.

1. UVAMC has demonstrated that, due to the reasonable expectation of a sudden and overwhelming increase in acute care patients resulting from COVID-19 infection, University Hospital has an immediate need to temporarily add 84 licensed inpatient beds.
2. UVAMC’s plan for training and shifting ambulatory staff is a reasonable solution for staffing the additional beds.
3. UVAMC’s plan and ability to obtain equipment and supplies is reasonable within the confines of the current crisis.
4. UVAMC’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.