

Valuation of Healthcare Tangible Personal Property

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Presenter Bio

Analee McClellan, ASA, is an Accredited Senior Appraiser (ASA) with the American Society of Appraisers (ASA). She is an independent, unbiased, and objective appraiser of antiques, decorative arts and residential contents. She is the outgoing President for the Los Angeles Chapter of the American Society of Appraisers and Member at Large of the ASA's International Personal Property Committee. She is also an instructor of valuation theory courses offered by ASA through university partners.



Ms. McClellan also works with experts in other fields and can provide personalized service and project management for larger collections.

Presenter Bio

Edward G. Detwiler, ASA, is an Accredited Senior Appraiser with the American Society of Appraisers, with that accreditation being awarded in the discipline of Machinery and Technical Specialties, Machinery and Equipment. His background is in high-technology scientific and medical equipment, and he has had extensive experience with a wide variety of assignments involving many different kinds of medical, industrial and commercial equipment. He performs many appraisals for transfers of ownership, mergers, acquisitions, divorces and financing.



Mr. Detwiler's firm works with high-value, high-technology healthcare and scientific product users on issues such as mergers, acquisitions, fair market value lease originations and buyouts, litigation, financing and more. In addition to product appraisals, his firm also performs commercial arbitration, particularly in the diagnostic imaging and radiation therapy market. Their market niche is in the application of expert appraisal techniques and extensive experience in high-technology scientific, laboratory and medical equipment and practices for a wide range of needs. Mr. Detwiler's personal background includes over thirty five years of experience in the medical equipment industry, including engineering, sales, product management, and general management responsibilities. Other associates on staff specialize in research, finance and economics.

Mr. Detwiler's firm's work includes projects as small as a single asset or physician practice and as large as entire hospitals and public company mergers. They provide these services throughout the United States, usually on a negotiated fee basis. They frequently work with other appraisers, including real estate, personal property and business appraisers and with technical assistants to bring the necessary talents and capabilities to our assignments.

Presenter Bio



Todd A. Zigrang, MBA, MHA, FACHE, ASA is the President of **HEALTH CAPITAL CONSULTANTS (HCC)**, where he focuses on the areas of valuation and financial analysis for hospitals, physician practices, and other healthcare enterprises. Mr. Zigrang has over 20 years of experience providing valuation, financial, transaction and strategic advisory services nationwide in over 1,000 transactions and joint ventures involving acute care hospitals and health systems; physician practices; ambulatory surgery centers; diagnostic imaging centers; accountable care organizations, managed care organizations, and other third-party payors; dialysis centers; home health agencies; long-term care facilities; and, numerous other ancillary healthcare service businesses. Mr. Zigrang is also considered an expert in the field of healthcare compensation for physicians, executives and other professionals.

Mr. Zigrang is the co-author of the soon-to-be released “*Adviser’s Guide to Healthcare – 2nd Edition*” [2015 – AICPA], numerous chapters in legal treatises and anthologies, and peer-reviewed and industry articles such as: *The Accountant’s Business Manual* (AICPA); *Valuing Professional Practices and Licenses* (Aspen Publishers); *Valuation Strategies; Business Appraisal Practice*; and, *NACVA QuickRead*. Additionally, Mr. Zigrang has served as faculty before professional and trade associations such as the American Bar Association (ABA); the National Association of Certified Valuators and Analysts (NACVA); the Physician Hospitals of America (PHA); the Institute of Business Appraisers (IBA); the Healthcare Financial Management Association (HFMA); and, the CPA Leadership Institute.



About the American Society of Appraisers

The American Society of Appraisers is an international organization of appraisal professionals, founded in 1952 to provide a comprehensive, profession wide organization for appraisers and valuation engineers.

As a comprehensive body, the ASA pursues accurate valuation for all classes of property and hence examines multiple levels of economic activity. As such, the ASA seeks to foster cooperation between professionals of several valuation disciplines, and this spirit of cooperation may help engender multidisciplinary approaches to the art and science of valuation.

Mission of the Healthcare Special Interest Group (HSIG)

The *Healthcare Special Interest Group* (HSIG) is a Subcommittee of the ASA's International Education Committee and dedicated to the advancement of multidisciplinary education in healthcare valuation.

HSIG views the field of healthcare valuation as a complex area affecting multiple disciplines and requiring unique approaches for study and solutions. At the same time, the field also holds much promise for those willing to pursue new, multidisciplinary answers in this ever-changing healthcare market environment.

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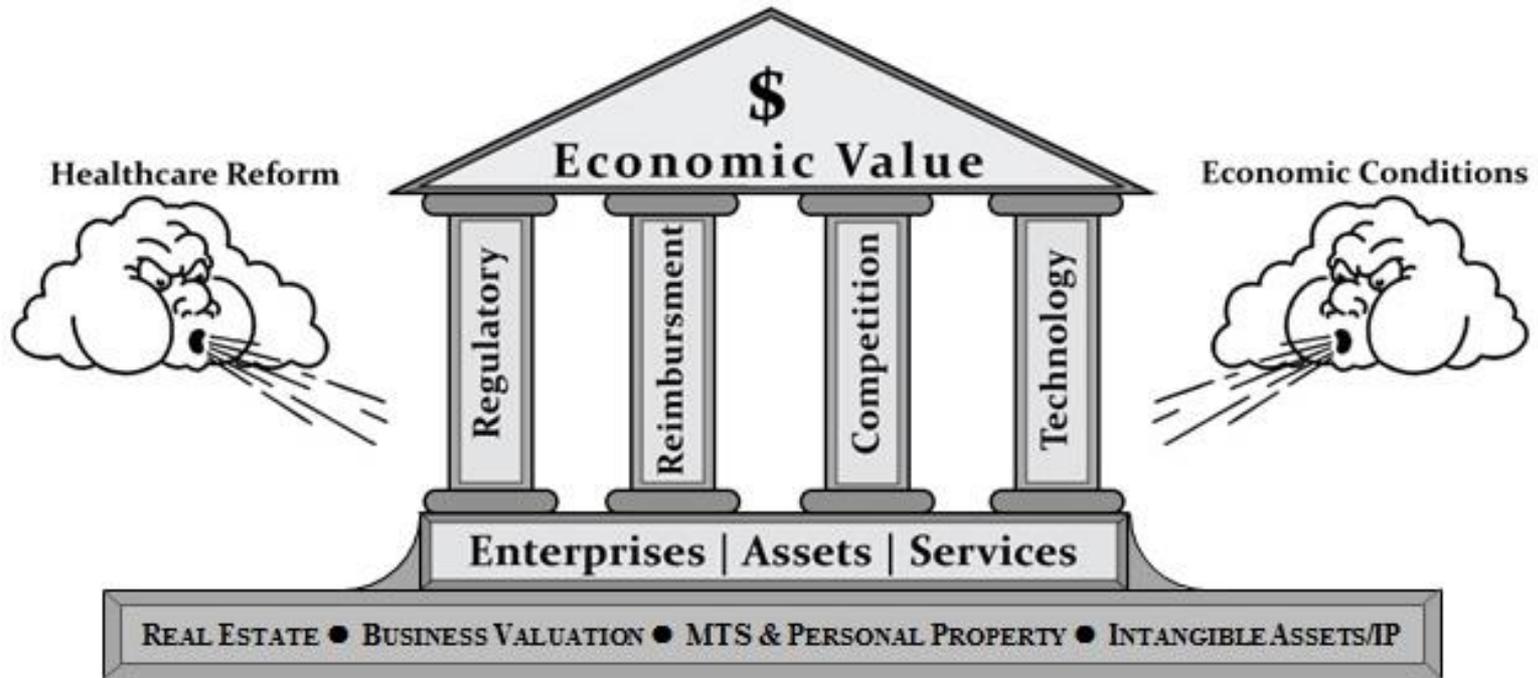


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Presentation Overview

- Part 1 – Types of Property/Assets
- Part 2 – Tangible Personal Property
- Part 3 – Overview of Valuation Approaches
- Part 4 – Classification & Valuation of Tangible Personal Property (within MTS Discipline)
- Part 5 – Classification & Valuation of Tangible Personal Property (within Personal Property Discipline)
- Part 6 – Concluding Remarks

Healthcare Trends Related to Tangible Personal Property: *The Four Pillars*



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Regulatory

- Healthcare transactions are subject to regulatory scrutiny, including:
 - *Federal and state fraud and abuse laws*
 - Stark Law
 - Anti-Kickback Statute
 - *IRS regulations pertaining to excess benefit and inurement of private benefit*
- Tax-Exempt donations of personal property (e.g., art, collectibles)

Reimbursement

- Healthcare entities are directly reimbursed not only for services rendered, but also for *tangible assets* such as:
 - Durable medical equipment (DME)
 - Medical devices
 - Supplies used during the provision of healthcare services
- Tangible assets are directly reimbursed under the prospective payment systems used for Medicare and Medicaid under the *Resource-Based Relative Value System* through the inclusion of the *Practice Expense Relative Value Unit (PE RVU)*
 - Reflects costs of a physician practice, including the operating expenses and capital expenses

Competition

- Increasing focus on ownership of *tangible assets* such as new, high quality, technologically advanced services provided in part via physical premises and technology has increased the need for MTS services
- Increased use of personal property in healthcare settings
 - Examples:
 - Effects of “*Evidence-Based*” Art and Design

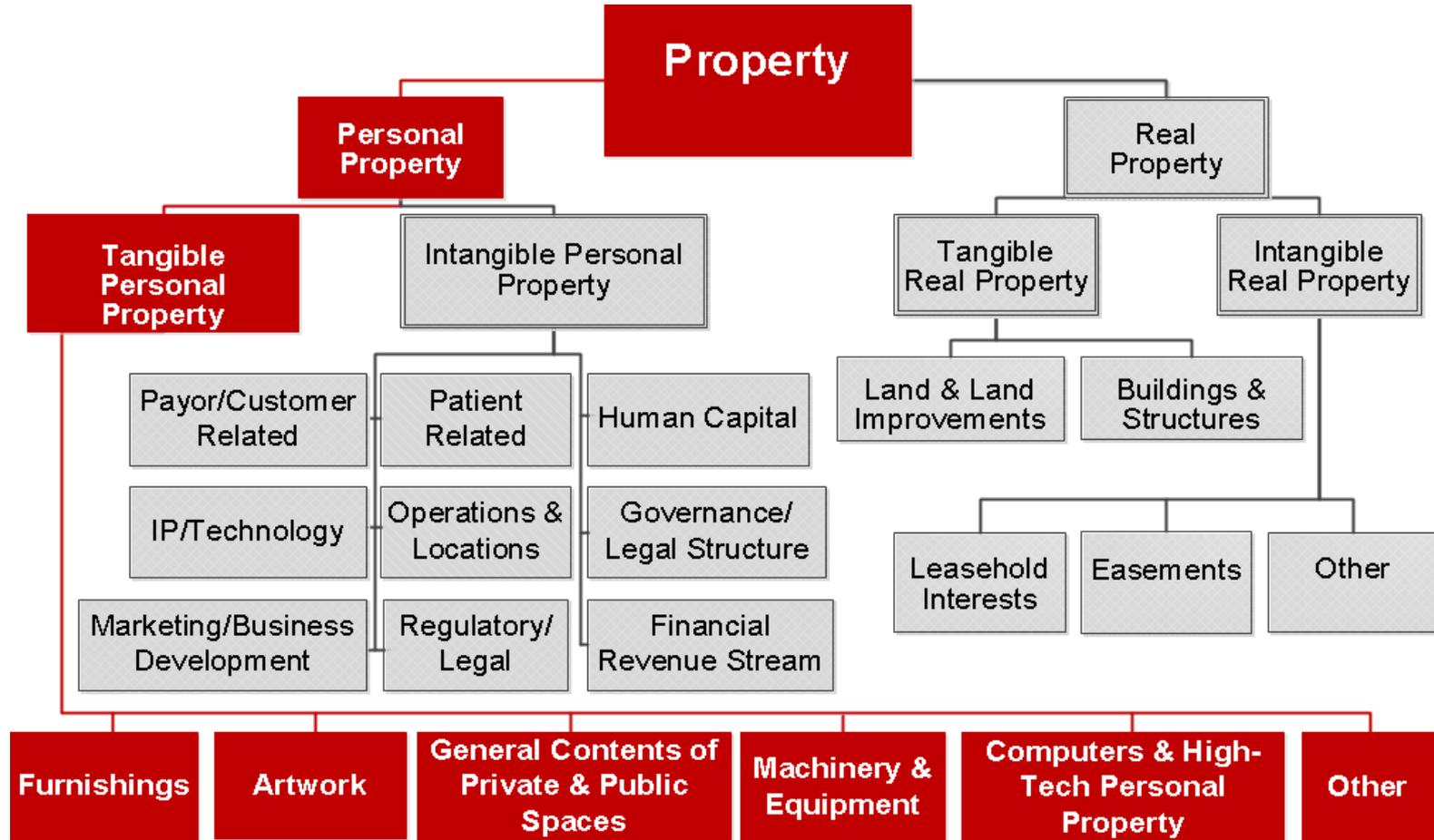
Technology

- Rapidly changing technology *drives the need and creation of newer, machinery and equipment* while also often *diminishing the value of those already in place*
 - Digital requirements for data driven hospitals
 - Energy use/efficiencies
 - Aging patient population
 - Accommodations in caring for obese patients

Part 1

Types of Property/Assets

Types of Property/Assets



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Types of Property/Assets

Tangible Property

- “[Property] that [is] of a physical and material nature” such as land, buildings, machinery and equipment, furniture, artwork, and others

Intangible Property

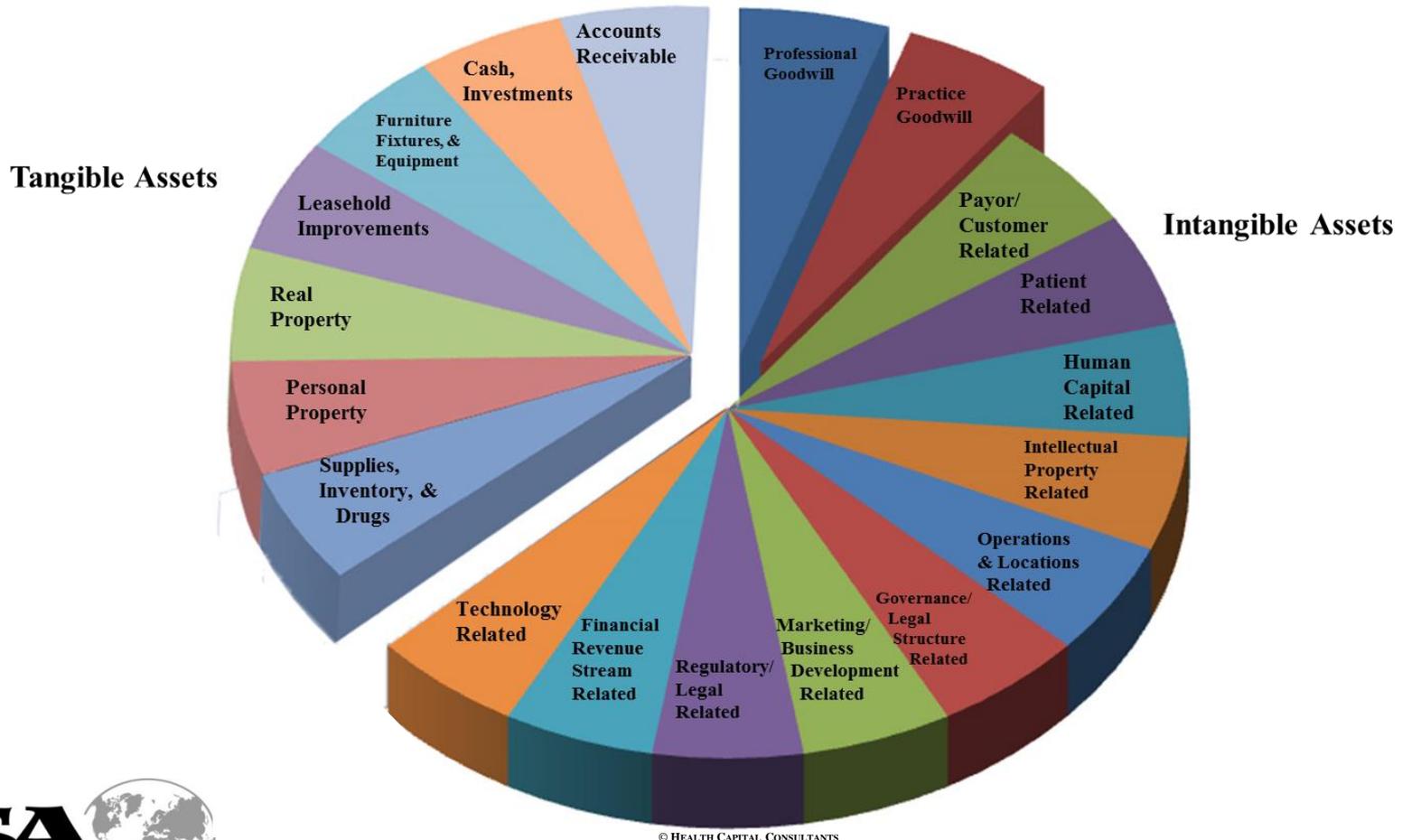
- An asset having no *physical existence* yet having value based on rights or privileges accruing to an enterprise

Tangible vs. Intangible Property/Assets

- The major distinction – The aspect of their *physicality* (not an exclusive definitional barrier)
- Physical tangible assets may possess an intangible aspect as regards to the legal rights of property ownership attached to them
 - Examples: Reproduction rights, copyrights, licensing rights

Polling Question 1

Types of Tangible and Intangible Property/Assets in Healthcare



Types of Tangible and Intangible Property/Assets in Healthcare

- **Examples:**
 - **Tangible assets in healthcare:** Furniture, fixtures, and equipment (FF&E); leasehold improvements; real property; supplies; inventories; and, drugs
 - **Intangible assets in healthcare:** Patents, trained and assembled workforce in-place (provider and non-provider), custodial rights to patient medical records, going-concern value, licenses, permits, certificate of need, etc.

Types of Tangible Property/Assets

Tangible Real Property

- Physical land and appurtenances attached to the land including buildings, structures, standing timber, parking lots, etc.

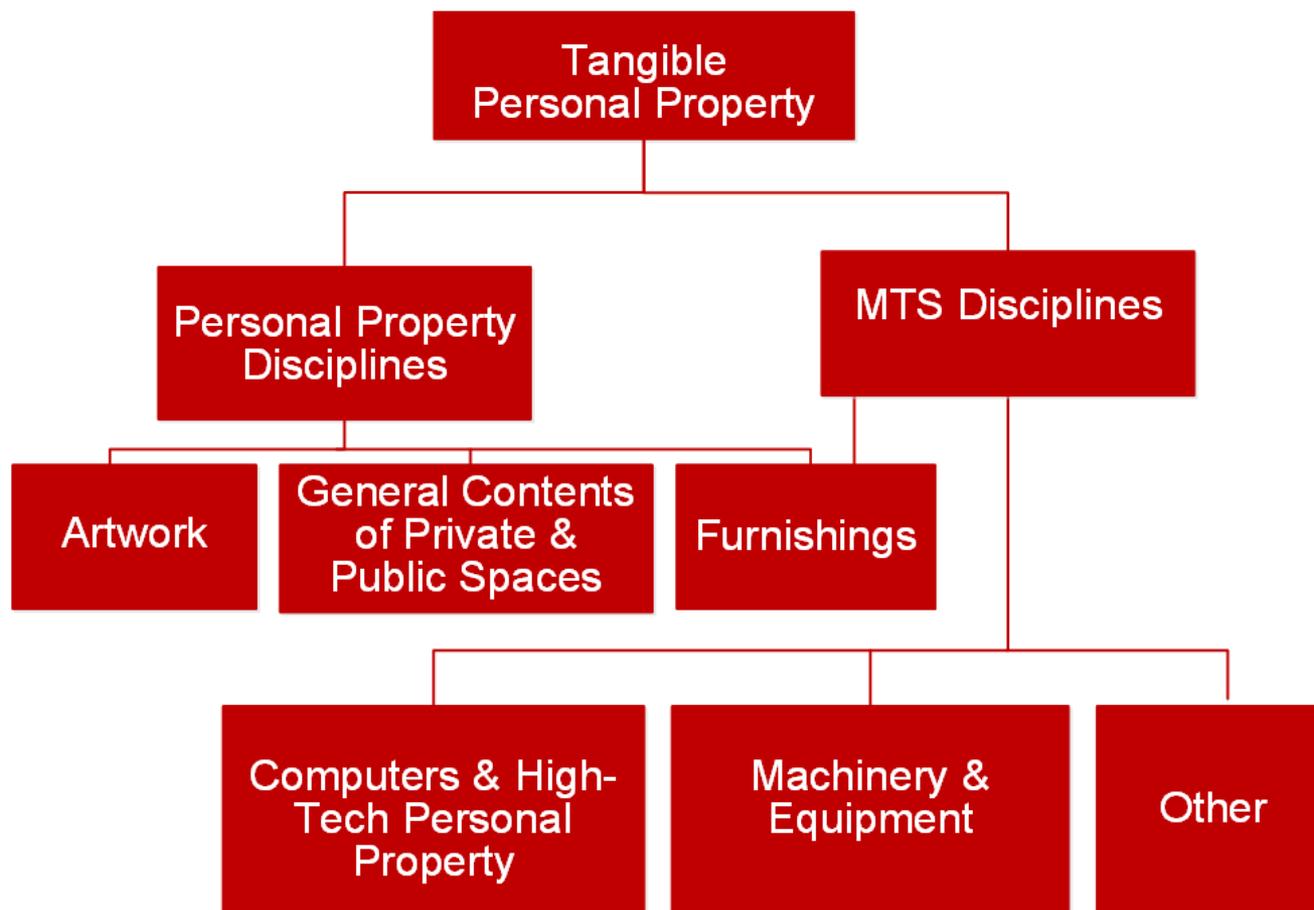
Tangible Personal Property

- Identifiable tangible (perceptible by touch) objects that are considered by the general public as being “*personal*”
 - Examples: furnishings, artwork, antiques, gems and jewelry, collectibles, machinery and equipment (tangible property not classified as real estate)

Part 2

Tangible Personal Property

Valuation Disciplines for Tangible Personal Property



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Tangible Personal Property

- ***“Tangible things capable of ownership not classed as realty, they being furniture, fixtures, equipment, machinery, inventories, vessels, precious metals, vehicles, gems, evidences of debt and money” [emphasis added]***
- Example: Ventilation for a specific piece of equipment, e.g., fume exhaust for a chemotherapy center, may be classified as *tangible personal property* while ventilation for the office space the equipment occupies would be classified as *tangible real estate*

Tangible Personal Property

Types of Tangible Personal Property

- Furniture, Fixtures & Equipment (FF&E)
- Machinery & Technical Assets (MTS)
- Inventories
- Commodities
- Cash & Equivalents

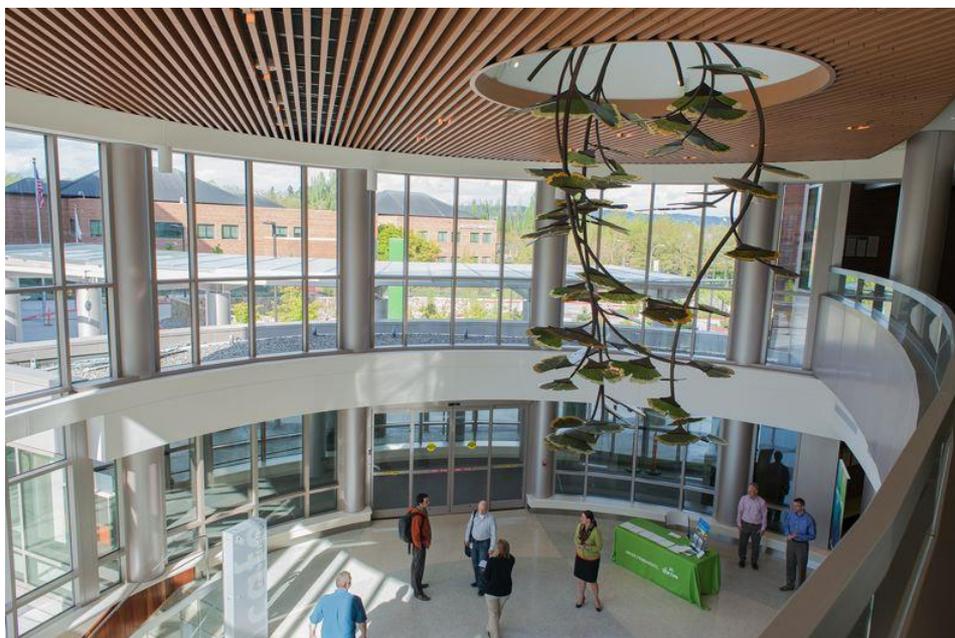


Cedars-Sinai Deluxe Maternity Suite

"Here are some frequently asked questions about becoming a Personal Property Appraiser"
American Society of Appraisers, 2013,
<http://www.appraisers.org/PPHome/PPProfessionalInformation.aspx> (Accessed 9/4/13).

Tangible Personal Property & MTS

- All MTS falls under the classification of Tangible Personal Property
- *BUT*, not all Tangible Personal Property can be classified as MTS



Part 3

Overview of Valuation Approaches

Need for Multidisciplinary Valuation

“Several otherwise diverse disciplines have or use certain principles in common. The general principles and methods apply for the most part to all appraisal disciplines.”

Richard Rickert, PhD, ASA

Types of Valuation Approaches

Income Approach

- Estimates present value of anticipated future economic benefits

Market (Sales Comparison) Approach

- Premised on foundation that actual transactions of similar property or assets provide guidance to value

Asset / Cost Approach

- Determines the current *replacement* or *reproduction* cost new of the subject asset and then deducts economic depreciation
 - Grounded in economic *Principle of Substitution* (i.e., a prudent buyer will typically not pay more for an asset than the cost of buying a substitute of equal utility)

Polling Question 2

Terminology Used in Certain Asset / Cost Approach Based Methods

- **Replacement Cost New:** The cost to replace the subject asset with a new asset of *nearest equivalent utility*
- **Reproduction Cost New:** The current cost of reproducing an *exact replica* of a property with the same or closely similar materials

Terminology Used in Certain Asset / Cost Approach Based Methods

- **Economic Depreciation (Factors Contributing to Diminished Property Value)** - deficiencies in the ability of subject asset to generate revenue due to impairment in its utility
 - (1) **Physical Deterioration** - Wear and tear, deterioration, exposure, physical stresses, etc.
 - (2) **Functional Obsolescence** – The loss of utility resulting from the inefficiencies of the asset
 - (3) **Technological Obsolescence** - Inefficiencies in the property itself compared to a more efficient or less costly replacement property
 - (4) **Economic Obsolescence** - Factors external to the property, such as industry economics, regulatory change, availability of financing, labor or utilities, etc.
- Note that the definition of ***economic depreciation*** is separate & distinct from the definition of depreciation utilized for accounting/insurance purposes

Consideration of Valuation Approaches

- All approaches should be considered when performing an appraisal assignment
- The selection of approaches to be utilized is based upon, but not limited to the following:
 - The intended use of the appraisal assignment
 - The nature of the property
 - The availability of data

Typical Intended Uses of Valuations

- Insurance Coverage / Damage and Loss Claims
- Taxation
- Litigation Damages Calculation
- Anticipated Transaction
- Valuation of Property for Acquisition & Disposition
- Purchase or Sale of Property

Type and Definition of Value

MTS	PP
<ul style="list-style-type: none"> • Replacement Cost New • Reproduction Cost New* • Fair Market Value • Fair Market Value in Continued Use • Fair Market Value – Installed • Fair Market Value – Removal • Liquidation Value in Place • Orderly Liquidation Value • Forced Liquidation Value • Salvage Value • Scrap Value • Insurance Replacement Cost • Insurance Value Depreciated 	<ul style="list-style-type: none"> • Replacement Value <ul style="list-style-type: none"> • Comparable • New • Reproduction • Fair Market Value • Market Value (Marketable Cash Value) • Liquidation Value • Salvage and Scrap Value • Fair Value

* (Not prevalent in healthcare valuation)

"ME201: Introduction to Machinery and Equipment Valuation", American Society of Appraisers, v.2.2i (6/08), p. 9-10.
"Healthcare Valuation An Interdisciplinary Approach", American Society of Appraisers (10/9/12), Slide 52.
"Types of Value for Varied Intended Uses" By American Society of Appraisers, ASA Monograph #2, 2012, p. 2-2.

Type and Definition of Value - Healthcare

In healthcare, the type of definition of value is *typically* Fair Market Value (FMV)

- Healthcare transactions are subject to regulatory scrutiny:
 - **Anti-kickback Statute** – Prohibition against referrals
 - No consideration in valuation of the “*volume or value of referrals*”
 - **Stark Law** – Prohibition against physician self-referrals of designated health services (DHS) if physician has a financial relationship
 - **IRC 501(c)(3)** – Law of tax-exempt organizations

Fair Market Value

- Typical Assumptions of FMV:
 - Typical *universe* of potential purchasers for the subject property - not a *specific purchaser* or *specific class* of purchaser
 - Buyer and seller are typically motivated
 - Both parties are well informed and acting in their respective rational economic self-interests
 - Both parties are professionally advised and the hypothetical transaction is assumed to be closed on the effective date of value with the typical legal protections in place to safeguard the transfer of ownership of the legal bundle of rights which define and encompass the transacted property or interest

Fair Market Value

- Typical Assumptions of FMV, continued:
 - Payment is made in cash or its equivalent
 - A sufficiently reasonable amount of time is allowed for exposure in the open market
 - A reasonable availability of transactional capital in the marketplace
 - Sales are made to the final buyer (not a wholesaler)
 - Sales occur in the most common (relevant) market(s)
 - Relevant market(s) need to be defined for each appraisal assignment

Fair Market Value

Anti-kickback Statute further defines above FMV assumptions

- *“...fair market value in arms-length transactions...not determined in a manner that takes into account the volume or value of any referrals or business otherwise generated between the parties for which payment may be made in whole or in part under Medicare or a State health care program.”*

Fair Market Value

Stark Law further defines above FMV assumptions

- *“The value in arm’s-length transactions, consistent with the General Market Value”*
- *“The price that an asset would bring, as the result of bona fide bargaining between well-informed buyers and sellers who are not otherwise in a position to generate business for the other party...”*
- *“Usually, the fair market price is the price at which bona fide sales have been consummated for assets of like type, quality, and quantity in a particular market at the time of acquisition...where the price...has not been determined in any manner that takes into account the volume or value of anticipated or actual referrals.”*

Fair Market Value

The IRS further defines above FMV assumptions

- 501(c)(3) enterprises must avoid “**excess benefit**” transactions
- Valuation standard is *Fair Market Value*
 - “...price at which property or the right to use property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy, sell, or transfer property or the right to use property, and both having reasonable knowledge of relevant facts.”

Regulatory Thresholds Related to Value

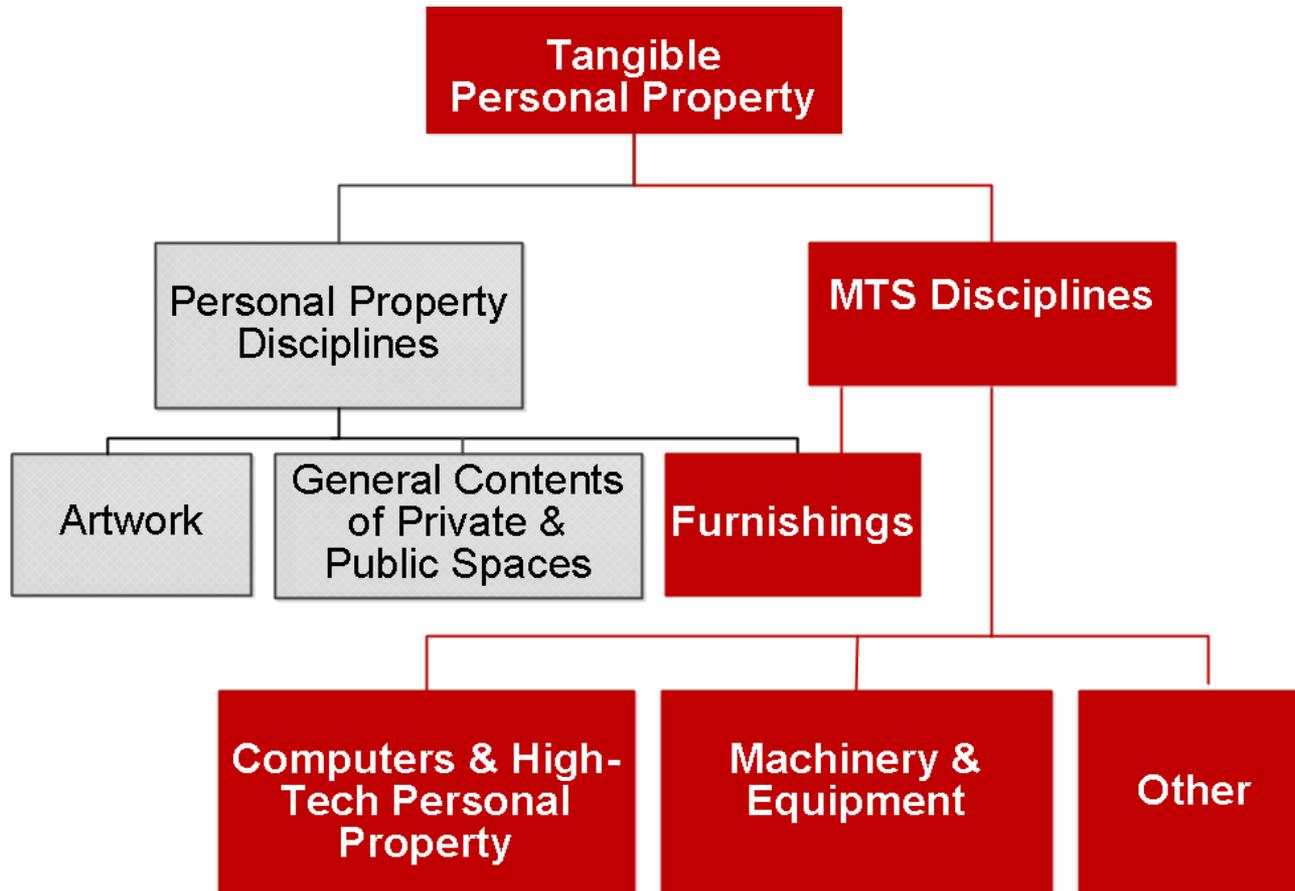
- In addition to FMV, healthcare transactions often must meet the threshold of Commercial Reasonableness, i.e.,
 - *“...a sensible, prudent business agreement, from the perspective of the particular parties involved, even in the absence of any potential referrals.”*

Polling Question 3

Part 4

Classification & Valuation of Tangible Personal Property (within MTS Discipline)

MTS Discipline



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Machinery & Technical Specialties (MTS)

- Aircraft
- Cost Surveys
- Industrials
- Marine Survey
- Mines and Quarries
- Oil and Gas
- Public Utilities
- Machinery & Equipment
- Computers & High-Tech Personal Property

MTS Discipline

- ***Machinery & Equipment***
 - Relevant Statistic: U.S. Medical device market revenue in the first 5 months of 2014 was \$37.6 billion
 - By 2016, the machinery & equipment market size is expected to increase to \$133 billion
 - Example: Prosthetics, MRIs, Catheters (surgical apparatuses)
- ***Computers & High-Tech Personal Property***
 - Relevant Statistic: Diagnostic & medical laboratory market revenue in the first 5 months of 2014 was \$52.7 billion
 - Examples: Diagnostic imaging equipment, Zero-Client terminals

MTS Discipline

Computers & High-Tech Personal Property Future Trends

- Integrated automation of operating room equipment and hospital information systems
- Acuity-flexible patient care areas
- Automated medication management and distribution
- Telemedicine and mobile medicine

Income Approach – MTS Discipline

Methods:

- Direct Capitalization Method
 - Assumes there will be *no variation* in the capitalization rate & no termination of the income stream
- Discounted Cash Flow (DCF) Method
 - Measures the direct economic benefits derived from the present value of *varying* future cash inflows & outflows
- Not widely used by most MTS Appraisers

Market (Sales Comparison) Approach - MTS Discipline

Techniques of Comparison within the Market (Sales Comparison) Method:

- **Direct Match:** Value based on a *direct match* of the subject asset to an identical asset or comparable
- **Comparable Match:** Analyzes similar assets using some measure of utility
- **Percent of Cost:** Institutes a ratio between selling price and current cost new of the asset at time of sale (not often used in healthcare valuation)

Market (Sales Comparison) Approach - MTS Discipline

Elements of Comparability within the Market (Sales Comparison) Method:

- Chronological age & effective age
- Condition
- Capacity
- Features (accessories)
- Location
- Manufacturer & quality
- Motivation of parties
- Price
- Quantity
- Time of sale
- Type of sale

Market (Sales Comparison) Approach - MTS Discipline

Type and Definition for a Group of Assets within the Market (Sales Comparison) Method:

- **Fair Market Value in Continued Use or Installed:**
Estimate the cost to disassemble and remove the asset, along with maintenance or rebuilding costs
 - Fair Market Value
 - Fair Market Value in Continued Use
 - Fair Market Value Installed
 - Fair Market Value Removal

Market (Sales Comparison) Approach - MTS Discipline

Type and Definition of Value for Individual Units within the Market (Sales Comparison) Method:

- **Liquidation Value:** Search data for comparable sales at a liquidation level of trade; compare sales to the subject property
 - Orderly Liquidation Value
 - Forced Liquidation Value
 - Liquidation Value in Place

Polling Question 4

Asset/Cost Approach - MTS Discipline

Methods for determining new cost of Machinery and Equipment (before deductions for economic depreciation):

- **Detail Method:** Assigns a current new cost to each component
 - **Cost-to-Capacity Method:** Determines value relative to size
-
- **Other Engineering Methods*:** Estimates cost of entire facilities or facilities' components
 - **Trending Method*:** Estimates a property's reproduction cost new by applying an index/trend factor to asset's historical cost

* (Not prevalent in healthcare valuation)

Asset/Cost Approach - MTS Discipline

Techniques for Determining Economic Depreciation:

- **Physical Deterioration**
 - Observation
 - Formula Ratio
 - Direct Dollar Measurement

Asset/Cost Approach - MTS Discipline

Techniques for Determining Economic Depreciation:

- **Functional Obsolescence**
 - Lack of utility
 - Excess operating cost
 - Excess construction
 - Over-capacity
 - Inadequacy

Asset/Cost Approach - MTS Discipline

Techniques for Determining Economic Depreciation:

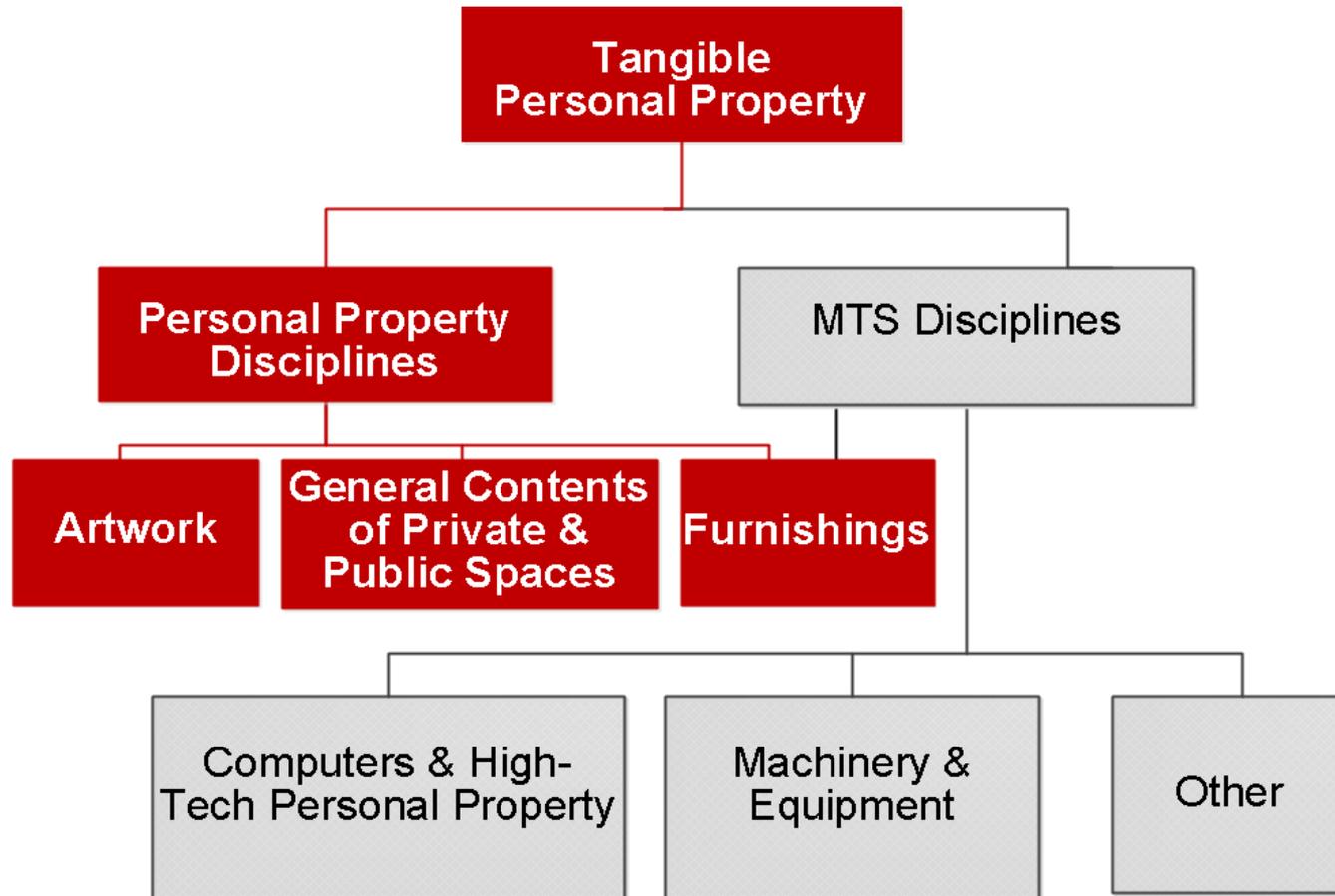
- **Economic Obsolescence**
 - Increased cost of raw materials, labor, or utilities
 - Reduced demand for the product
 - Increased competition
 - Environmental or other regulations
 - Similar factors

Polling Question 5

Part 5

Classification & Valuation of Tangible Personal Property (within Personal Property Discipline)

Personal Property Discipline



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Personal Property Discipline

Artwork

- As of 2009, over 50% of all U.S. hospitals had art programs
- Over \$200 million expended on artwork in 2008
 - Example: Cleveland Clinic has a \$1.5 million art budget
- Example: “Evidence-Based” Art and Design
 - Kaiser Permanente’s Westside Medical Center – Hillsboro, OR



“A Guide to Evidence-based Art” By Kathy Hathorn and Upali Nanda, The Center for Health Design, 2008, http://www.healthdesign.org/sites/default/files/Hathorn_Nanda_Mar08.pdf (Accessed 9/9/2013), p. 2-3. “Contemporary Art in Medicine: The Cleveland Art Collection” By Jennifer Finkel, Cardiovascular Diagnosis and Therapy, Vol. 1, No.1, December 2011, p. 71-75. “January 2014 Construction at \$943.1 Billion Annual Rate” U.S. Census Bureau, March 3, 2014, p. 5. “Helping patients heal through the arts,” By Amanda Gardner, CNN, July 5, 2013, <http://www.cnn.com/2013/07/05/health/arts-in-medicine/>, p. 1. *Art Plays Starring Role at Kaiser Permanente’s New Oregon Hospital*,” By Anne DiNardo, Healthcare Design, Nov. 5, 2013, <http://www.healthcaredesignmagazine.com/print/article/art-plays-starring-role-kaiser-permanente-s-new-oregon-hospital> (Accessed 9/11/14).

Personal Property Discipline

- ***Furnishings***
 - Hospital furniture manufacturing industry revenue was approximately \$690 million (as of 2012)
 - Projected to increase to \$844 million by 2017
 - Example: Equipment & furniture in offices & patient rooms
- ***General contents of private & public spaces***
 - Example: Fixtures

Polling Question 6

Sales Comparison (Market) Approach – Personal Property

- Compare the subject asset with similar assets that have been sold or are for sale in the relevant marketplace by making adjustments to prices based on marketplace conditions and the assets' characteristics of value



Cedars-Sinai Deluxe Maternity Suite

Market (Sales Comparison) Approach Based Method

Levels of Trade:

- Above Retail (designers/decorators)
- Retail
- Auction & Resale (low retail or retail)
- Distributor (jobber)
- Wholesale
- Consignment Shops
- Estate / Yard Sale / “Tag” Sale

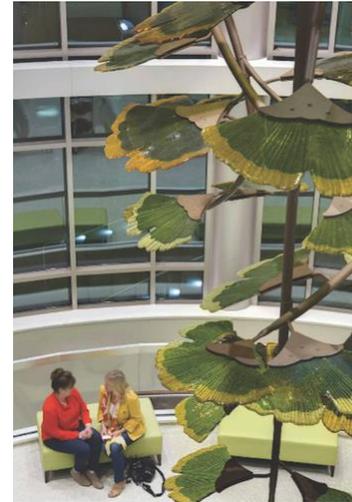
Sales Comparison (Market) Approach – Personal Property

Adjustments Made to the Prices Paid for Comparable Properties

- Aspects of Comparison to Subject Asset Based On:
 - Characteristics of value (i.e. condition, quality, size)
 - Date of sale of comparable property (and exposure time)
 - Level of trade of transaction of sale of comparable property
 - History of the object (provenance)
- Adjustments Made Based On:
 - Percentage (increased by or decreased by percentage)
 - Monetary amounts (\$100 more or less)

Asset/Cost Approach – Personal Property Discipline

Estimate all costs to produce an asset with equal utility to the subject property, accounting for all factors that contribute to diminished property value



Part 6

Concluding Remarks

Concluding Remarks

Pursuing Interdisciplinary Collaboration *Healthcare Industry Specific Appraisal Assignments*

Real Estate Appraisal • Machinery & Technical Specialties
Personal Property • Business Valuation • Intangible Assets/IP
Separate and Distinct Disciplines in the Same Profession

- Similar Tools to Solve Similar Problems
- Shared Clients
- Interdisciplinary Approach Yields Significant Benefit to Both ***Clients*** and ***Appraisers***

We CAN Work Together!

Concluding Remarks

We Can (and should) All Work Together!

- To obtain the requisite background for forecasting the future performance of healthcare enterprises, assets, and services in the current dynamic era of healthcare reform, valuation professionals should develop and maintain an in-depth understanding of the history and the development of healthcare delivery, as well as, the unique dynamics of those often complex business arrangements that comprise newly emerging healthcare organizations and the various elements of property value involved in each.
- A multidisciplinary project team of appraisers has the potential to provide an enhanced scope and diversity of knowledge and breadth of experience to the benefit of both the **appraisers** and the **client**.

Concluding Remarks

We Can (and should) All Work Together!

- When developing an understanding of the forces and stakeholders that have the potential to drive healthcare markets, valuation professionals must examine the subject enterprises, assets, and services as they relate to and within the context of:
 - ***“The Four Pillars of the Healthcare Industry”***
 - Reimbursement
 - Regulatory
 - Competition
 - Technology
- These four elements serve as a conceptual framework for analyzing the viability, efficiency, efficacy, and productivity of the subject property interest(s)

Concluding Remarks

We Can All Work Together!

- More informed and uniform valuation practice would benefit the users of healthcare valuations and *improve public confidence in appraisers*
- To enhance competency, significant specialized education and training is an important benefit for healthcare appraisers and clients
- Given these issues, a multidisciplinary approach toward advanced education related to healthcare industry valuation is an important initiative of the ASA, as the premiere multidisciplinary valuation society of professional appraisers