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Connecticut State Medical Society Testimony in Support of
Senate Bill 980 An Act Concerning Certificates of Need
Public Health Committee
February 26, 2009

Senator Harris, Representative Ritter and members of the Public Health Committee, on behalf of the more than 7,000 members of the Connecticut State Medical Society (CSMS), thank you for the opportunity to present this testimony to you today in support of Senate Bill 980 An Act Concerning Certificates of Need. This legislation makes some positive changes to the current CON process

Over the past decade, the trend in Connecticut has different from that of many others in the nation as we have experienced an increasing burden of CON requirements on everything from the services physicians deliver in their offices to the purchasing of imaging and related equipment. CSMS has continually stated that these requirements place an incredible barrier on the state's ability to recruit and retain many highly skilled and trained physicians in key medical specialty and subspecialty areas. Most recently we demonstrated this problem with recruitment and retention through the presentation of our 2008 CSMS Physician Workforce Study, funded by the Universal Healthcare Foundation. We are pleased to see that SB 980 takes at least minimal steps to reduce the requirements on existing CONs and ask this Committee to undertake a serious and comprehensive review of all CON laws to adjudicate their impact on the healthcare delivery system in Connecticut.

CSMS supports provisions in the proposed legislation that differentiates a "change" in a CON from a "transfer of ownership." Currently any certain "changes" related to a CON within facilities require notification and request of the Office of Healthcare Access (OHCA) prior to the change. These include a host of changes that have no real bearing on the operation and management of the facility such as moving to new space within the facility or adding/removing a partner. This language would require notice only when such changes lead to changes in ownership and therefore would allow for continued use of equipment and the provision of care provided with this equipment associated with other changes.

Section 3(f) of SB 980 states that each health care facility or institution currently providing outpatient services include such services as physician therapy, cardiac rehabilitation and occupational therapy that proposes to provide those service at an alternate location within the primary service area of the facility can do so with exemption from CON requirements as they relate to the proposal to provide services at the alternate location. This will allow established services to freely move around a primary service area without risk of a challenge to an existing CON and without a potential risk in further deteriorating access to these services by patient population served.

Thank you for the opportunity to provide the comments to you today on SB 980.