

**TESTIMONY OF
THE STAMFORD HOSPITAL
SUBMITTED TO THE
PUBLIC HEALTH COMMITTEE**

Wednesday, February 9, 2011

HB 5048, An Act Requiring Certificate Of Need Approval For

The Termination Of Inpatient And Outpatient Services By A Hospital

The Stamford Hospital (“TSH” or “Hospital”) appreciates the opportunity to submit testimony concerning HB 5048, An Act Requiring Certificate of Need (“CON”) Approval For The Termination Of Inpatient and Outpatient Services By A Hospital (“HB 5048” or “bill”). HB 5048 requires hospitals that propose to terminate inpatient or outpatient services they currently provide to the community to file a CON application with the Department of Public Health’s Office of Health Care Access (“OHCA”). After careful consideration of this important issue, TSH respectfully opposes HB 5048 given the Legislature’s efforts in its last session related to CON reform and the undue burden this bill would impose on hospitals.

Last year, TSH was supportive of OHCA’s initiatives to make the CON process more efficient and meaningful in this new health care environment and appreciative of its efforts to solicit input from providers. Public Act 10-179 implemented these CON reforms. Unfortunately, it appears that HB 5048 is inconsistent with the spirit of this legislation to streamline the CON process by reinstating the requirement that hospitals obtain CON approval prior to terminating any inpatient or outpatient service. This requirement goes beyond those services specifically listed in Conn. Gen. Stat. Sec. 19a-638 (a) (4) and (6), namely inpatient and outpatient mental health and substance abuse services and an emergency department, which require OHCA approval before a hospital terminates such services. By broadening the reach of the CON process to include termination of any inpatient or outpatient service, this bill is contradictory to the intent of the CON reform legislation to make this area of State regulation more efficient and cost-effective.

Another area of concern with HB 5048 is that it limits this CON requirement for termination of services to only hospitals. This unduly places administrative and financial burdens on hospitals related to the CON application, review, and hearing process that is not imposed on non-hospital providers. Also, this bill creates an unfair and un-level playing field that adversely affects hospitals and enhances the interest of other providers that would not be subject to the same regulatory process, legal and consulting costs, and associated delays.

In summary, TSH opposes HB 5048 because it is an unnecessary step backwards that will return us to the conditions that existed prior to the passage of the CON reform legislation. Thank you for your consideration of this testimony.