



General Assembly

January Session, 2013

Raised Bill No. 1066

LCO No. 4137



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

**AN ACT CONCERNING CERTIFICATE OF NEED APPLICATION
GUIDELINES AND THE ISSUANCE OF DECISIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-639 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 (a) In any deliberations involving a certificate of need application
4 filed pursuant to section 19a-638, the office shall take into
5 consideration and make written findings concerning each of the
6 following guidelines and principles:

7 (1) Whether the proposed project is consistent with any applicable
8 policies and standards adopted in regulations by the Department of
9 Public Health;

10 (2) The relationship of the proposed project to the state-wide health
11 care facilities and services plan;

12 (3) Whether there is a clear public need for the health care facility or
13 services proposed by the applicant;

14 (4) Whether the applicant has satisfactorily demonstrated how the

15 proposal will impact the financial strength of the health care system in
16 the state or that the proposal is financially feasible for the applicant;

17 (5) Whether the applicant has satisfactorily demonstrated how the
18 proposal will improve quality, accessibility and cost effectiveness of
19 health care delivery in the region;

20 (6) The applicant's past and proposed provision of health care
21 services to relevant patient populations and payer mix;

22 (7) Whether the applicant has satisfactorily identified the population
23 to be served by the proposed project and satisfactorily demonstrated
24 that the identified population has a need for the proposed services;

25 (8) The utilization of existing health care facilities and health care
26 services in the service area of the applicant; [and]

27 (9) Whether the applicant has satisfactorily demonstrated that the
28 proposed project shall not result in an unnecessary duplication of
29 existing or approved health care services or facilities; and

30 (10) Whether the proposed project is consistent with the goals of the
31 Patient Protection and Affordable Care Act, P.L. 111-148.

32 (b) The office, as it deems necessary, may revise or supplement the
33 guidelines and principles through regulation prescribed in subsection
34 (a) of this section.

35 Sec. 2. Subsection (d) of section 19a-639a of the general statutes is
36 repealed and the following is substituted in lieu thereof (*Effective July*
37 *1, 2013*):

38 (d) Upon determining that an application is complete, the office
39 shall provide notice of this determination to the applicant and to the
40 public in accordance with regulations adopted by the department. In
41 addition, the office shall post such notice on its web site. The date on
42 which the office posts such notice on its web site shall begin the review

43 period. Except as provided in this subsection, (1) the review period for
44 a completed application shall be ninety days from the date on which
45 the office posts such notice on its web site; and (2) the office shall issue
46 a decision on a completed application prior to the expiration of the
47 ninety-day review period. Upon request or for good cause shown, the
48 office may extend the review period for a period of time not to exceed
49 sixty days. If the review period is extended, the office shall issue a
50 decision on the completed application prior to the expiration of the
51 extended review period. If the office holds a public hearing concerning
52 a completed application in accordance with subsection (e) or (f) of this
53 section, the office shall issue a decision on the completed application
54 not later than sixty days after the date the office closes the public
55 hearing record. If the office fails to issue a decision on any completed
56 application prior to the expiration of the applicable review period,
57 such application shall be deemed approved on the day after the
58 expiration of such review period and the office shall issue a certificate
59 of need for the proposed project described in the application.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	19a-639
Sec. 2	July 1, 2013	19a-639a(d)

Statement of Purpose:

To require the Office of Health Care Access, when deliberating on a certificate of need application, to consider and make written findings concerning whether the proposed project described in the application is consistent with the goals of federal health care reform and to provide that an application for which the office has not issued a decision within the applicable review period is deemed approved.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]