



General Assembly

January Session, 2015

**Amendment**

LCO No. 7753



Offered by:  
REP. MINER, 66<sup>th</sup> Dist.

To: Subst. House Bill No. 6987      File No. 682      Cal. No. 447

**"AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES."**

1      After the last section, add the following and renumber sections and  
2      internal references accordingly:

3      "Sec. 501. Subdivision (11) of section 19a-630 of the general statutes  
4      is repealed and the following is substituted in lieu thereof (*Effective*  
5      *from passage*):

6      (11) "Health care facility" means (A) hospitals licensed by the  
7      Department of Public Health under chapter 368v; (B) specialty  
8      hospitals; (C) freestanding emergency departments; (D) outpatient  
9      surgical facilities, as defined in section 19a-493b and licensed under  
10     chapter 368v; (E) a hospital or other facility or institution operated by  
11     the state that provides services that are eligible for reimbursement  
12     under Title XVIII or XIX of the federal Social Security Act, 42 USC 301,  
13     as amended; (F) a central service facility; (G) mental health facilities;  
14     (H) substance abuse treatment facilities; (I) school-based health centers;

15 (J) community health centers, as defined in section 19a-490a; (K) not-  
16 for-profit outpatient clinics licensed in accordance with the provisions  
17 of chapter 368v; (L) federally qualified health centers; and [(I)] (M) any  
18 other facility requiring certificate of need review pursuant to  
19 subsection (a) of section 19a-638. "Health care facility" includes any  
20 parent company, subsidiary, affiliate or joint venture, or any  
21 combination thereof, of any such facility.

22 Sec. 502. Subsection (b) of section 19a-638 of the general statutes is  
23 repealed and the following is substituted in lieu thereof (*Effective from*  
24 *passage*):

25 (b) A certificate of need shall not be required for:

26 (1) Health care facilities owned and operated by the federal  
27 government;

28 (2) The establishment of offices by a licensed private practitioner,  
29 whether for individual or group practice, except when a certificate of  
30 need is required in accordance with the requirements of section 19a-  
31 493b or subdivision (3), (10) or (11) of subsection (a) of this section;

32 (3) A health care facility operated by a religious group that  
33 exclusively relies upon spiritual means through prayer for healing;

34 (4) Residential care homes, nursing homes and rest homes, as  
35 defined in subsection (c) of section 19a-490;

36 (5) An assisted living services agency, as defined in section 19a-490;

37 (6) Home health agencies, as defined in section 19a-490;

38 (7) Hospice services, as described in section 19a-122b;

39 (8) Outpatient rehabilitation facilities;

40 (9) Outpatient chronic dialysis services;

41 (10) Transplant services;

42 (11) Free clinics, as defined in section 19a-630, as amended by this  
43 act;

44 [(12) School-based health centers, community health centers, as  
45 defined in section 19a-490a, not-for-profit outpatient clinics licensed in  
46 accordance with the provisions of chapter 368v and federally qualified  
47 health centers;]

48 [(13)] (12) A program licensed or funded by the Department of  
49 Children and Families, provided such program is not a psychiatric  
50 residential treatment facility;

51 [(14)] (13) Any nonprofit facility, institution or provider that has a  
52 contract with, or is certified or licensed to provide a service for, a state  
53 agency or department for a service that would otherwise require a  
54 certificate of need. The provisions of this subdivision shall not apply to  
55 a short-term acute care general hospital or children's hospital, or a  
56 hospital or other facility or institution operated by the state that  
57 provides services that are eligible for reimbursement under Title XVIII  
58 or XIX of the federal Social Security Act, 42 USC 301, as amended;

59 [(15)] (14) A health care facility operated by a nonprofit educational  
60 institution exclusively for students, faculty and staff of such institution  
61 and their dependents;

62 [(16)] (15) An outpatient clinic or program operated exclusively by  
63 or contracted to be operated exclusively by a municipality, municipal  
64 agency, municipal board of education or a health district, as described  
65 in section 19a-241;

66 [(17)] (16) A residential facility for persons with intellectual  
67 disability licensed pursuant to section 17a-227 and certified to  
68 participate in the Title XIX Medicaid program as an intermediate care  
69 facility for individuals with intellectual disabilities;

70 [(18)] (17) Replacement of existing imaging equipment if such  
 71 equipment was acquired through certificate of need approval or a  
 72 certificate of need determination, provided a health care facility,  
 73 provider, physician or person notifies the office of the date on which  
 74 the equipment is replaced and the disposition of the replaced  
 75 equipment;

76 [(19)] (18) Acquisition of cone-beam dental imaging equipment that  
 77 is to be used exclusively by a dentist licensed pursuant to chapter 379;

78 [(20)] (19) The partial or total elimination of services provided by an  
 79 outpatient surgical facility, as defined in section 19a-493b, except as  
 80 provided in subdivision (6) of subsection (a) of this section and section  
 81 19a-639e;

82 [(21)] (20) The termination of services for which the Department of  
 83 Public Health has requested the facility to relinquish its license; or

84 [(22)] (21) Acquisition of any equipment by any person that is to be  
 85 used exclusively for scientific research that is not conducted on  
 86 humans."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	19a-630(11)
Sec. 502	<i>from passage</i>	19a-638(b)