



GEORGIA DEPARTMENT OF
COMMUNITY HEALTH

Rhonda M. Medows, MD, Commissioner

Sonny Perdue, Governor

2 Peachtree Street, NW
Atlanta, GA 30303-3159
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WRITER'S DIRECT DIAL
404-657-7198

June 12, 2008

Michael P. Britain, FACHE
Principal
Legacy Consulting Group
3355 Lenox Road, Suite 805
Atlanta, Georgia 30326

RE: Senate Bill 433 Clarification Regarding Adult Diagnostic Cardiac Catheterization

Dear Mr. Britain:

The Georgia Department of Community Health, Division of Health Planning (the Department) is in receipt of your request, dated May 14, 2008, seeking clarification with respect to the diagnostic cardiac catheterization provisions contained in Senate Bill 433 and whether exceeding the equipment and capital expenditure thresholds to implement a diagnostic cardiac catheterization service would require a certificate of need. Your request was submitted in response to the Department's invitation to submit questions regarding the impact and applicability of Senate Bill (SB) 433, a Certificate of Need (CON) reform bill passed during the 2008 session of the Georgia General Assembly.

In response to your inquiry, one of the new exemptions from prior CON review and approval in the legislation is for diagnostic cardiac catheterization services offered in a hospital setting on patients 15 years of age and older. O.C.G.A. § 31-6-47(a)(21). {Note: all citations referenced are effective July 1, 2008}.

If a proposed service, or expansion of an existing service, meets the criteria of this statutory exemption on or after July 1, 2008, it will be exempt from the other provisions of the health planning statute, and the exemption will apply regardless of the dollar expenditure involved, whether a capital expenditure or for major medical equipment, i.e., cardiac catheterization equipment.

Please be advised that a party wishing to avail itself of this exemption on or after July 1, 2008, must submit a specific and factual determination request to the Department on the existing published Determination form, along with the proper filing fee. The Department will respond as appropriate, and the Department response shall be the written confirmation of exemption required in SB 433. This letter is not an official written confirmation of any activity to be undertaken on or after July 1, 2008 pursuant to SB 433.

I hope this letter is responsive to your request. If there are any further questions or concerns, please feel free to contact me at the Department.

Sincerely,

A handwritten signature in cursive script that reads "Clyde L. Reese III". The signature is written in black ink and is positioned above the printed name.

Clyde L. Reese, III
General Counsel