



GEORGIA DEPARTMENT OF
COMMUNITY HEALTH

Rhonda M. Medows, MD, Commissioner

Sonny Perdue, Governor

2 Peachtree Street, NW
Atlanta, GA 30303-3159
www.dch.georgia.gov

WRITER'S DIRECT DIAL
404-657-7198

June 30, 2008

Lance B. Duke
Columbus Regional Medical Center
710 Center Street, P.O. Box 951
Columbus, GA 31902

RE: Senate Bill 433 Determination of Adult Therapeutic Cardiac Catheterization Services

Dear Mr. Duke:

The Georgia Department of Community Health, Division of Health Planning (the Department) is in receipt of your request, dated May 22, 2008, on behalf of The Medical Center, Inc., part of the Columbus Regional Healthcare System (the hospital) seeking affirmative determination of the ability of the hospital to perform adult therapeutic cardiac catheterization services in compliance with the provisions contained in Senate Bill 433. Your letter includes various declarations with respect to the offering of adult therapeutic cardiac catheterization procedures with the goal of receiving affirmation from the Department that the hospital can proceed with providing these type services. 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.

One of the new exemptions from prior CON review and approval in the legislation is for therapeutic cardiac catheterization in hospitals selected by the Department prior to July 1, 2008, to participate in the Atlantic Cardiovascular Patient Outcomes Research Team (C-Port) Study and therapeutic cardiac catheterization in hospitals, that, as determined by the Department on an annual basis, meet the criteria to participate in the C-Port Study but have not been selected for participation; provided, however, that if the criteria requires a transfer agreement to another hospital, no hospital shall unreasonably deny a transfer agreement to another hospital. O.C.G.A. § 31-6-47(a)(22).

Please be advised that Section 3-1 of SB 433 provides that the CON changes in Part I of the bill shall become effective on July 1, 2008, and shall only apply to applications submitted on or after July 1, 2008. As a result, on and after July 1, 2008, an existing participant in the C-Port Study, chosen by the Department to participate in the study before July 1, 2008, will no longer require prior CON review and approval to perform therapeutic cardiac catheterization procedures. Also, at some point in the fall of 2008, after the new and amended administrative rules to implement SB 433 in its entirety are

Equal Opportunity Employer

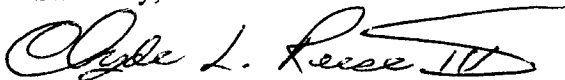
promulgated and in effect, the Department will, on a date certain to be re-issued annually, publish standards for hospitals who are not current participants in the C-Port Study to avail themselves of this exemption and to perform therapeutic cardiac catheterization procedures without prior CON review and approval.

A party wishing to avail itself of this exemption on or after July 1, 2008, pursuant to the published standards, 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. A hospital may not begin to perform adult therapeutic cardiac catheterization procedures pursuant to the SB 433 exemption referenced above prior to receipt of a determination from the Department indicating compliance with the standards to be published.

The Department will annually re-publish standards to implement this particular exemption, and those hospitals who receive confirmation of exemption pursuant to these published standards, will be required to show compliance with the standards on a continuing annual basis, notwithstanding the year in which they received initial confirmation of compliance with the published standards.

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 black ink, appearing to read "Clyde L. Reese III". The signature is fluid and cursive, with a long horizontal stroke at the end.

Clyde L. Reese, III
General Counsel