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# Office of Health Planning



GEORGIA DEPARTMENT  
OF COMMUNITY HEALTH

## ***CERTIFICATE OF NEED***

## **Tracking And Appeals Report**

***January 1, 2025 – January 7, 2025***

### ***Please Note DCH Has Moved:***

Georgia Department of Community Health  
Office of Health Planning  
2 Martin Luther King Jr. Drive SE  
East Tower, 16th Floor  
Atlanta, Georgia 30334

(404) 656-0409  
(404) 656-0442 Fax  
[www.dch.georgia.gov](http://www.dch.georgia.gov)

**[Updated Certificate of Need Project Forms](#)**

## Letters of Intent

none

## Letters of Intent – Batching

none

## Expired Letters of Intent

**LOI2024023 Clear Imaging, LLC d/b/a Clear MRI**

New Imaging Center in Gwinnett County

**Received: 12/6/2024**

**Application must be submitted on: 12/31/2024**

**Site:** 4470 Satellite Blvd, Suite130, Duluth, GA 30096 (Gwinnett County)

**Estimated Cost:** \$1,000,000

## Withdrawn CON Applications

none

## New CON Applications

none

## Pending Review Applications

**2024-027 American Health Imaging of Georgia, LLC d/b/a American Health Imaging of Alpharetta**

New Imaging Center

**OPPOSITION FILED**

**Filed: 10/28/2024 Deemed Incomplete: 10/29/2024 Deemed Complete: 11/12/2024**

**30th Day Deadline: 11/26/2024**

**Decision Deadline: 2/24/2025**

**Site:** 3285 Northpoint Parkway, Building 7, Alpharetta, GA 30005 (Fulton County)

**Contact:** Dan Balentine, Group President 404-296-5887

**Estimated Cost:** \$4,184,860

**2024-031 Phoebe Putney Memorial Hospital, Inc.**

Addition of 7 Neonatal Intermediate Care Beds in SSDR 10 - Batching

**Filed: 11/25/2024 Deemed Complete: 11/25/2024**

**30th Day Deadline: 12/24/2024**

**Decision Deadline: 3/24/2025**

**Site:** 417 Third Avenue, Albany, GA 31701 (Dougherty County)

**Contact:** Christopher M. Kane, Chief Strategy Officer 229-312-4100

**Estimated Cost:** \$0

## Recently Approved Applications

none

## Recently Denied Applications

none

## Disqualified Applications

none

## Appealed Determinations

**DET2019-050 Kennestone Hospital, Inc. d/b/a WellStar Windy Hill ("WellStar Windy Hill")** Request for Letter of Determination received on 3/15/2019, regarding a determination that existing beds would revert back to short-stay beds upon relinquishment of its Medicare certification as a long-term care hospital.

**Agency Decision:** Denied on 8/21/2019.

**Appealed:** WellStar Windy Hill filed request for Administrative Appeal on 09/19/2019. Emory University d/b/a Emory University Hospital Smyrna and Saint Joseph's Hospital of Atlanta, Inc. d/b/a Emory Saint Joseph's Hospital (collectively "Emory") filed notice of intent to participate in and intervene in WellStar Windy Hill's administrative hearing, 9/19/2019.

**Hearing Officer:** Dr. L. Lynn Hogue

**Hearing Date:** N/A

**Hearing Decision:** Hearing Officer denied WellStar Windy Hill's Motion for Summary Adjudication and affirmed the Department's 8/21/2019 determination, 10/2/2020. WellStar Windy Hill requests Commissioner Review, 11/2/2020.

**Commissioner Review Decision:** Affirmed Hearing Officer's 10/2/2020 decision to deny WellStar Windy Hill's Motion for Summary Adjudication, 12/1/2020. WellStar Windy Hill filed Petition for Judicial Review, 12/31/2020.

**Superior Court of Cobb County:** Court grants Windy Hill's Petition for Judicial Review and reverses Final Order of the Department, 5/24/21. Emory files Application for Discretionary Appeal in the Court of Appeals of Georgia, 6/21/2021. Department files application for Discretionary Appeal in the Court of Appeals of Georgia, 6/23/2021.

**Court of Appeals:** Grants Department's Application for Discretionary Appeal, 7/15/2021. Reverses Superior Court of Cobb County's 5/24/21 judgment granting Windy Hill's Petition for Judicial Review and reversing Final Order of the Department, 6/29/2022. WellStar Windy Hill files Notice of Intention to Petition for Writ of Certiorari, 7/10/2022. WellStar Windy Hill's Petition for Writ of Certiorari filed in the Georgia Supreme Court, 7/19/2022.

**Court of Appeals Ruling on Remand:** Reverses Superior Court of Cobb County's 5/24/21 judgment and affirms Department's decision, 9/18/2024. WellStar Windy Hill files Petition for Writ of Certiorari in the Georgia Supreme Court, 10/31/2024.

**Supreme Court:** Grants WellStar Windy Hill's Petition for Writ of Certiorari, 5/2/2023. Vacates Court of Appeal's final decision and remands the case to the Court of Appeals, 2/6/2024.

**DET-EQT2022-035 Allegiance Imaging and Radiology, LLC** Request for Letter of Determination received on 4/5/2022, regarding additional locations for mobile MRI.

**Agency Decision:** Denied on 7/27/2022

**Appealed:** Allegiance Imaging and Radiology, LLC ("Allegiance") files Request for Administrative Appeal on 8/19/2022.

**Hearing Officer:** Melvin M. Goldstein, Esq.

**Hearing Date:** Pending

**DET2023-102 Center for Advanced Research & Education, LLC** Request for Letter of Determination received on 5/16/2023, regarding acquisition and use of PET unit.

**Agency Decision:** Denied on 10/10/2023

**Appealed:** The Center for Advanced Research & Education, LLC ("CARE") files Request for Administrative Appeal on 11/8/2023. Northeast Georgia Medical Center, Inc. ("NGMC") files Request to Intervene, 11/29/2023.

**Hearing Officer:** Dr. L. Lynn Hogue

**Hearing Date:** Pending

## Appealed CON Projects

**2018-072 Braselton ASC, LLC (Hall)**

**2018-073 Braselton Surgical Specialist Center, LLC ("BSSC") (Hall)**

2018-072 Establish Multi-Specialty Freestanding ASC with Four ORs and Two Procedure Rooms

2018-073 Establish Multi-Specialty Freestanding ASC with Three ORs and One Procedure Room

**Agency Decision:** GA2018072 - Approved, 3/25/2019 GA2018073 - Denied, 3/25/2019.

**Appealed by:** Braselton Surgical Specialist Center, LLC ("BSSC"), 4/24/2019;

Piedmont Athens Regional Medical Center, Inc. d/b/a Piedmont Athens Regional Medical Center ("Piedmont Athens"), 4/24/2019; Northside Hospital, Inc. d/b/a Northside Hospital Cherokee ("NHC"), 4/24/2019; Northside Hospital, Inc. d/b/a Northside Alpharetta Surgery Center ("NASC"), 4/24/2019. Piedmont Athens withdrew its Appeal of GA2018-072 on 11/7/19.

**Request to Intervene in 2018-072:** Braselton ASC, LLC ("Braselton ASC"), 4/24/2019.

**2018-073 Denial:** Braselton Surgical Specialist Center, LLC ("BSSC") appeals the denial of their application, 2018073, 4/24/2019;

**Requests to Intervene in 2018-073:** Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center -

Main Campus ("NGMC-Main Campus"), 4/24/2019; Braselton ASC, LLC ("Braselton ASC"), 4/24/2019; Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center-South Hall Campus ("NGMC-South Hall Campus"), 4/24/2019; NGMC Barrow, LLC d/b/a Northeast Georgia Medical Center-Barrow ("NGMC-Barrow"), 4/24/2019; Piedmont Athens Regional Medical Center, Inc. d/b/a Piedmont Athens Regional Medical Center ("Piedmont Athens"), 4/24/2019. Piedmont Athens withdrew Request to Intervene 11/7/19.

**Hearing Officer:** Melvin M. Goldstein, Esq.

**Hearing Date:** 6/16-18-2021, 9:00 A.M. / Remote Video Conference

**Hearing Decision:** Hearing Officer affirms Department's decision to grant a CON to Braselton ASC and reverses Department's decision to deny BSSC's application, ordering the Department to issue a CON to both projects, 10/22/2021. Braselton ASC, NGMC-South Hall Campus, NGMC-Main Campus, and NGMC Barrow file for Commissioner Review, 11/22/2021.

**Commissioner Review Decision:** Affirms Hearing Officer's 10/22/2021 decision to issue a CON to both projects, 12/22/2021. Braselton ASC, NGMC-South Hall Campus, NGMC-Main Campus, and NGMC Barrow file Petition for Judicial Review in Superior Court of Hall County, 1/20/2022.

**Superior Court of Hall County:** Denies Braselton ASC's, NGMC-South Hall Campus's, NGMC-Main Campus's, and NGMC Barrow's Petition for Judicial Review and affirms 12/22/2021 Commissioner Review decision to grant a CON to BSSC, 6/15/2022. Braselton ASC, NGMC-South Hall Campus, NGMC-Main Campus, and NGMC Barrow file Application for Discretionary Appeal in the Georgia Court of Appeals, 7/15/2022.

**Court of Appeals:** Grants Braselton ASC's, NGMC-South Hall Campus', NGMC-Main Campus', and NGMC Barrow's Application for Discretionary Appeal, 8/8/2022. Affirms Superior Court's denial of Braselton ASC's, NGMC-South Hall Campus', NGMC-Main Campus', and NGMC Barrow's Petition for Judicial Review, 5/3/2023. Braselton ASC, NGMC-South Hall Campus, NGMC-Main Campus, and NGMC Barrow file Petition for Writ of Certiorari in the Georgia Supreme Court, 6/12/2023.

**Court of Appeals Ruling on Remand:** Affirms Department's decision to grant a CON to BSSC, 12/9/2024.

**Supreme Court:** Grants Braselton ASC's, NGMC-South Hall Campus', NGMC-Main Campus', and NGMC Barrow's Petition for Certiorari, vacates judgment, and remands case to the Court of Appeals for reconsideration, 3/19/2024.

**2020-004 Savannah Health Services, LLC dba Memorial Health University Medical Ctr (Bryan)**

**2020-005 Savannah Health Services, LLC dba Memorial Health University Medical Ctr (Chatham)**

2020-004 Construction of Freestanding Emergency Department

2020-005 Construction of Freestanding Emergency Department

**Agency Decision:** 2020-004 Approved, 6/11/2020 2020-005 Approved, 6/8/2020

**Appealed By:** 2020-004 Candler Hospital, Inc. ("Candler"), 6/25/2020; St. Joseph's Hospital, Inc. ("St. Joseph's"), 6/25/2020; Hospital Authority of Liberty County d/b/a Liberty Regional Medical Center ("Liberty"), 6/26/2020. 2020-005 Candler Hospital, Inc. ("Candler"), 6/25/2020; St. Joseph's Hospital, Inc. ("St. Joseph's"), 6/25/2020; Effingham Hospital Inc. ("Effingham"), 6/29/2020.

**Hearing Officer:** David C. Will, Esq.

**Hearing Date:** 1/19-22/2021, 1/25-28/2021, 9:30 A.M. / Remote Video Conference; 1/20-21/2022, 1/24-28/2022, 1/31/2022, 2/1/2022, 9:00 A.M. / Remote Video Conference

**Hearing Decision:** Hearing Officer grants St. Joseph's/Candler's Motion for Summary Adjudication and reverses DCH's award of CONs to Savannah Health Services, LLC d/b/a Memorial Health University Medical Ctr, 1/26/2021. Savannah Health Services, LLC d/b/a Memorial Health University Medical Ctr files for Commissioner Review, 2/25/2021.

**Hearing Decision on Remand:** Hearing Officer affirms Department's decisions to grant Certificates of Need to Savannah Health Services, LLC d/b/a Memorial Health University Medical Ctr, 6/6/2024. St. Joseph's files for Commissioner Review, 6/28/2024 (2020-004, 2020-005). Candler files for Commissioner Review, 6/28/2024 (2020-004, 2020-005). Liberty files for Commissioner Review, 6/28/2024 (2020-004). Effingham files for Commissioner Review, 6/28/2024 (2020-005). St. Joseph's files Petition for Judicial Review in Superior Court of Chatham County, 7/2/2024 (2020-004, 2020-005). Candler files Petition for Judicial Review in Superior Court of Chatham County, 7/2/2024 (2020-004, 2020-005). Liberty files Petition for Judicial Review in Superior Court of Liberty County, 7/2/2024 (2020-004). Effingham files Petition for Judicial Review in Superior Court of Effingham County, 7/2/2024 (2020-005).

**Commissioner Review Decision:** Reverses Hearing Officer's 1/26/2021 decision granting SJC's Motion for Summary Adjudication; remands the matter to the Department to resume proceedings before a Hearing Officer consistent with the CON Administrative Hearing process, 3/26/2021.

**Commissioner Review Decision on Remand:** Affirms Hearing Officer's Decision on Remand to grant Certificates of Need to Savannah Health Services, LLC d/b/a Memorial Health University Medical Ctr, 8/5/2024. St. Joseph's files Petition for Judicial Review in Superior Court of Chatham County, 9/3/2024 (2020-004, 2020-005). Candler files Petition for Judicial Review in Superior Court of Chatham County, 9/3/2024 (2020-004, 2020-005). Liberty files Petition for Judicial Review in Superior Court of Liberty County, 9/3/2024 (2020-004). Effingham files Petition for Judicial Review in Superior Court of Effingham County, 9/3/2024 (2020-005).

**Superior Court of Chatham County:** Grants Department's Motion to Dismiss 7/2/2024 Petition for Judicial Review, 10/30/2024.

**Superior Court of Liberty County:** Pending

**Superior Court of Effingham County:** Pending

**2020-015 Northside Hospital Gwinnett (Gwinnett)**

Establish Hospital-Based Radiation Therapy Services on Campus - Batching

**Agency Decision:** Approved, 6/16/2020

**Appealed By:** Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center-Main Campus ("NGMC-Main Campus"), 7/14/2020; Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center-South Hall Campus ("NGMC-South Hall"), 7/14/2020; RCOG Cancer Centers, LLC d/b/a Gwinnett County Radiation Oncology Center - Lawrenceville ("RCOG-Lawrenceville"), 7/14/2020; RCOG Cancer Centers, LLC d/b/a Gwinnett County Radiation Therapy Center - Snellville ("RCOG-Snellville"), 7/14/2020; Vantage Cancer Centers of Georgia, LLC d/b/a Vantage Oncology Cancer Center at Lawrenceville ("Vantage-Lawrenceville"), 7/14/2020.

**Hearing Officer:** Melvin M. Goldstein, Esq.

**Hearing Date:** 12/7-11/2020, 12/14-18/2020, 9:00 A.M. / Remote Video Conference

**Hearing Decision:** Hearing Officer reverses the Department's decision to grant a CON to Northside Hospital Gwinnett, 4/21/2021. Northside Hospital Gwinnett files for Commissioner Review, 5/21/2021.

**Commissioner Review Decision:** Reverses Hearing Officer's 4/21/2021 decision to deny a CON to Northside Hospital Gwinnett and reinstates the Department's approval of CON Project No. GA 2020-015, 6/18/2021. Vantage-Lawrenceville, RCOG-Lawrenceville, and RCOG-Snellville file Petition for Judicial Review in Superior Court of Gwinnett County, 7/16/2021. NGMC-Main Campus and NGMC-South Hall file Petition for Judicial Review in Superior Court of Hall County, 7/16/2021.

**Superior Court of Gwinnett County:** Denies Vantage-Lawrenceville's, RCOG-Lawrenceville's, and RCOG-Snellville's Petition for Judicial Review and affirms 6/18/2021 Commissioner Review decision, 11/24/2021.

**Superior Court of Hall County:** Grants NGMC-Main Campus and NGMC-South Hall's Petition for Judicial Review and reverses 6/18/2021 Commissioner Review decision, denying Northside Hospital Gwinnett a Certificate of Need, 12/1/2021. Northside Hospital Gwinnett files Application for Discretionary Appeal in the Georgia Court of Appeals, 12/31/2021. The Department files Application for Discretionary Appeal in the Georgia Court of Appeals, 12/31/2021.

**Court of Appeals:** Grants Northside Hospital Gwinnett's Application for Discretionary Appeal, 1/21/2022. Affirms Superior Court of Gwinnett County's 11/24/2021 judgment and reverses Superior Court of Hall County's 12/1/2021 judgment, granting a CON to Northside Hospital Gwinnett, 10/26/2022. NGMC-Main Campus and NGMC-South Hall file Consolidated Petition for Writ of Certiorari in the Georgia Supreme Court, 12/5/2022. RCOG-Lawrenceville, RCOG-Snellville, and Vantage-Lawrenceville file Petition for Writ of Certiorari in the Georgia Supreme Court, 12/5/2022.

**Court of Appeals Ruling on Remand:** Vacates Superior Court judgments and remands cases with direction, 10/29/2024. Northside Hospital Gwinnett relinquishes CON Project No. GA 2020-015, 1/3/2025.

**Supreme Court:** Grants NGMC-Main Campus' and NGMC-South Hall's Consolidated Petition for Writ of Certiorari, 7/13/2023. Grants RCOG-Lawrenceville's, RCOG-Snellville's, and Vantage-Lawrenceville's Petitions for Writ of Certiorari, 7/13/2023. Vacates Court of Appeals' final decision and remands the case to the Court of Appeals, 2/20/2024.

**2020-020 University Hospital (Columbia)**

Establish a Freestanding Emergency Care Facility

**Agency Decision:** Approved, 7/21/2020

**Appealed By:** Doctors Hospital of Augusta, LLC d/b/a Doctors Hospital of Augusta ("Doctors"), 8/19/2020. AU Medical Center, Inc. ("AUMC"), 8/20/2020.

**Hearing Officer:** David Will, Esq.

**Hearing Date:** 10/23-27/2023, 11/2/2023, 9:00 A.M. / Remote Video Conference

**Hearing Decision:** Reverses Department's 7/21/2020 decision to grant a Certificate of Need to University Hospital, 6/10/2024. University Health Services, Inc. d/b/a Piedmont Augusta ("UHS") files for Commissioner Review, 6/17/2024. UHS files Petition for Judicial Review in Superior Court of Richmond County, 7/10/2024.

**Commissioner Review Decision:** Affirms Hearing Officer's decision to reverse the Department's decision to grant a Certificate of Need to University Hospital, 8/8/2024. UHS files Petition for Judicial Review in Superior Court of Richmond County, 9/5/2024.

**Superior Court of Richmond County:** Pending

**2020-023 AU Medical Center, Inc. (Richmond)**

Establish a Freestanding Emergency Care Facility as a Department of AU Medical Center, Inc

**Agency Decision:** Approved, 7/28/2020

**Appealed By:** Doctors Hospital of Augusta, LLC d/b/a Doctors Hospital of Augusta ("Doctors"), 8/27/2020. University

Health Services, Inc. ("University"), 9/3/2020. University McDuffie County Regional Medical Center, Inc. ("University-McDuffie"), 9/3/2020.

**Hearing Officer:** David C. Will, Esq.

**Hearing Date:** Continued until further notice

**2021-008 St. Joseph's/Candler Radiation Oncology - Statesboro (Bulloch)**

Establish Non-Special MegaVoltage Radiation Therapy Service – Batching

**Agency Decision:** Denied, 6/15/2021

**Appealed By:** SJC Oncology Services-Statesboro, LLC d/b/a St. Joseph's/Candler Radiation Oncology-Statesboro ("SJC-Statesboro"), 7/14/2021. Savannah Health Services, LLC d/b/a Memorial Health University Medical Center ("Memorial") files Request to Intervene, 6/23/2021. South Georgia Center for Cancer Care, LLC ("SGCCC") files Request to Intervene, 7/14/2021. Memorial files Notice of Withdrawal, 4/22/2024.

**Hearing Officer:** David C. Will, Esq.

**Hearing Date:** 6/18/2024, 1:00 P.M., 6/20/2024, 2:30 P.M., 6/21/2024, 6/24-28/2024, 12/19-20/2024, 9:00 A.M. / Remote Video Conference

**Hearing Decision:** Pending

**2021-010 South Georgia Center for Cancer Care (Bulloch)**

Add Linear Accelerator – Batching

**Agency Decision:** Approved, 6/15/2021

**Appealed By:** Candler Hospital, Inc. ("Candler"), 7/14/2021. South Georgia Center for Cancer Care, LLC ("SGCCC") files Request to Intervene, 7/14/2021.

**Hearing Officer:** David C. Will, Esq.

**Hearing Date:** 6/18/2024, 1:00 P.M., 6/20/2024, 2:30 P.M., 6/21/2024, 6/24-28/2024, 12/19-20/2024, 9:00 A.M. / Remote Video Conference

**Hearing Decision:** Pending

**2022-007 Northside Hospital, Inc. d/b/a Northside Hospital Forsyth (Hall)**

Offer Mobile PET/CT Service at Northside/Gainesville Imaging – Batching

**Agency Decision:** Approved, 6/24/2022

**Appealed By:** Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center-Main Campus ("NGMC-Main Campus"), 7/22/2022. Northside Hospital, Inc. d/b/a Northside Hospital Forsyth ("Northside") files Request to Intervene, 7/25/2022.

**Hearing Officer:** William D. Taylor, III, Esq.

**Hearing Date:** 12/12-16/2022, 9:00 A.M. / Remote Video Conference

**Hearing Decision:** Hearing Officer affirms Department's decision to grant a CON to Northside, 4/3/2023. NGMC-Main Campus files for Commissioner Review, 5/3/2023.

**Commissioner Review Decision:** Affirms Hearing Officer's 4/3/2023 decision to grant a CON to Northside, 6/2/2023. NGMC-Main Campus files Petition for Judicial Review in Superior Court of Hall County, 6/30/2023.

**Superior Court of Hall County:** Denies NGMC-Main Campus' Petition for Judicial Review, in part, grants NGMC-Main Campus' Petition for Judicial Review, in part, and reverses 6/2/2023 Commissioner Review decision, 11/21/2023.

Northside files Application for Discretionary Appeal in the Georgia Court of Appeals, 12/21/2023.

**Court of Appeals:** Grants Northside's Application for Discretionary Appeal, 1/17/2024.

**2022-008 Northside Hospital, Inc. d/b/a Northside Hospital Forsyth (Gwinnett)**

Offer Mobile PET/CT Service at Northside/Sugar Hill Imaging – Batching

**Agency Decision:** Approved, 6/24/2022

**Appealed By:** Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center-Main Campus ("NGMC-Main Campus"), 7/22/2022. Northside Hospital, Inc. d/b/a Northside Hospital Forsyth ("Northside") files Request to Intervene, 7/25/2022.

**Hearing Officer:** William D. Taylor, III, Esq.

**Hearing Date:** 12/12-16/2022, 9:00 A.M. / Remote Video Conference

**Hearing Decision:** Hearing Officer affirms Department's decision to grant a CON to Northside, 4/3/2023. NGMC-Main Campus files for Commissioner Review, 5/3/2023.

**Commissioner Review Decision:** Affirms Hearing Officer's 4/3/2023 decision to grant a CON to Northside, 6/2/2023. NGMC-Main Campus files Petition for Judicial Review in Superior Court of Hall County, 6/30/2023.

**Superior Court of Hall County:** Denies NGMC-Main Campus' Petition for Judicial Review and affirms 6/2/2023 Commissioner Review decision, 11/21/2023. NGMC-Main Campus files Application for Discretionary Appeal in the

Georgia Court of Appeals, 12/21/2023.

**Court of Appeals:** Grants NGMC-Main Campus' Application for Discretionary Appeal, 1/17/2024.

**2022-024 Five Points Healthcare of GA, LLC d/b/a Aveanna Home Health (Cobb)**

Expansion of Home Health Agency (Fulton, Cherokee Counties) - Batching

**Agency Decision:** Denied, 9/23/2022

**Appealed By:** Five Points Healthcare of GA, LLC d/b/a Aveanna Home Health ("Aveanna Cobb"), 10/18/2022.

**Hearing Officer:** O. Wendell Horne, III, Esq.

**Hearing Date:** Pending

**2022-025 Five Points Healthcare of GA, LLC d/b/a Aveanna Home Health (Gwinnett)**

Expansion of Home Health Agency (Clayton, Fayette, Henry, Rockdale Counties) - Batching

**Agency Decision:** Denied, 9/23/2022

**Appealed By:** Five Points Healthcare of GA, LLC d/b/a Aveanna Home Health ("Aveanna Gwinnett"), 10/18/2022.

**Hearing Officer:** O. Wendell Horne, III, Esq.

**Hearing Date:** Pending

**2023-009 Augusta Oncology Associates, P.C. d/b/a Augusta Oncology Multispecialty Clinic (Richmond)**

Establishment of Non-Special MegaVoltage Radiation Therapy Service – Batching

**Agency Decision:** Denied, 6/16/2023

**Appealed By:** Augusta Oncology Associates, P.C., 7/17/2023. AU Medical Center, Inc. d/b/a AU Medical Center ("AUMC") files Request to Intervene, 7/14/2023. Doctors Hospital of Augusta, LLC d/b/a Doctors Hospital of Augusta ("Doctors") files Request to Intervene, 7/17/2023.

**Hearing Officer:** O. Wendell Horne, III, Esq.

**Hearing Date:** Pending

**2023-011 University Cancer & Blood Center, LLC (Clarke)**

Addition of PET/CT Unit – Batching

**Agency Decision:** Approved, 6/16/2023

**Appealed By:** Piedmont Athens Regional Medical Center, Inc. ("Piedmont Athens"), 7/12/2023.

**Hearing Officer:** O. Wendell Horne, III, Esq.

**Hearing Date:** Pending

**2023-041 ProHealth Home Health-Georgia, LLC d/b/a ProHealth Home Health (Cobb)**

Establish Home Health Service in SSDR 3 - Batching

**Agency Decision:** Denied, 9/26/2023

**Appealed By:** ProHealth Home Health - Georgia, LLC d/b/a ProHealth Home Health - Marietta ("ProHealth"), 10/23/2023. Faith Medical Agency, LLC files Request to Intervene, 10/30/2023. Faith Medical Agency, LLC withdraws Request to Intervene, 11/9/2023.

**Hearing Officer:** Carl P. Dowling, Esq.

**Hearing Date:** N/A

**Hearing Decision:** Grants ProHealth's Motion for Summary Judgment and reverses the Department's 9/26/2023 decision to deny a CON to ProHealth, 5/15/2024. The Department files for Commissioner Review, 5/31/2024.

**Commissioner Review Decision:** Reverses Hearing Officer's 5/15/2024 Order that granted ProHealth's Motion for Summary Judgment and reversed the Department's decision to deny ProHealth a Certificate of Need, 6/28/2024.

ProHealth files Petition for Judicial Review in Superior Court of Fulton County, 7/24/2024.

**Superior Court of Fulton County:** Denies ProHealth's Petition for Judicial Review and affirms Department's Final Order, 11/20/2024. ProHealth files Application for Discretionary Review in the Georgia Court of Appeals, 12/19/2024.

**Court of Appeals:** Pending

**2023-064 Piedmont Community Imaging, LLC d/b/a Piedmont Community Imaging at Marietta (Cobb)**

Establishment of Freestanding Imaging Center

**Agency Decision:** Approved, 2/27/2024

**Appealed By:** Wellstar Kennestone Hospital, Inc. d/b/a Wellstar Kennestone Regional Medical Center ("Wellstar Kennestone"), 3/21/2024.

**Hearing Officer:** Ronald E. Daniels, Esq.

**Hearing Date:** 8/5-8/2024, 9:30 A.M. / Remote Video Conference; 8/22/2024, 9:00 A.M. / Remote Video Conference

**Hearing Decision:** Affirms Department's decision to grant a Certificate of Need to Piedmont Community Imaging, LLC d/b/a Piedmont Community Imaging at Marietta, 11/7/2024. Wellstar Kennestone files Petition for Judicial Review in Superior Court of Cobb County, 12/6/2024.  
**Superior Court of Cobb County:** Pending

**2023-072 Bethlehem ASC, LLC (Barrow)**

Establishment of Ambulatory Surgery Center in HPA 4 – Batching

**Agency Decision:** Approved, 3/26/2024

**Appealed By:** Braselton Surgical Specialist Center, LLC ("BSSC"), 4/24/2024. Gwinnett Advanced Surgery Center, LLC ("GASC"), 4/24/2024. Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett ("NHG"), 4/24/2024. Bethlehem ASC, LLC ("Bethlehem ASC") files Request to Intervene, 4/24/2024.

**Hearing Officer:** Carl P. Dowling, Esq.

**Hearing Date:** 11/4-8/2024, 11/12/2024, 11/20/2024, 9:00 A.M. / Remote Video Conference

**Hearing Decision:** Pending

**2024-008 Pro Radiology, LLC d/b/a American Health Imaging of Johns Creek (Forsyth)**

Replacement of Existing MRI and CT Scanners and Addition of a Second MRI Scanner

**Agency Decision:** Denied, 7/3/2024

**Appealed By:** Pro Radiology, LLC d/b/a American Health Imaging of Johns Creek ("Pro Radiology"), 7/17/2024.

**Hearing Officer:** Ronald E. Daniels, Esq.

**Hearing Date:** 10/15-17/2024, 9:30 A.M. / Remote Video Conference

**Hearing Decision:** Reverses Department's 7/3/2024 decision and grants a CON to Pro Radiology, 12/20/2024.

**2024-009 Synergy Radiology, LLC d/b/a American Health Imaging of Douglasville (Douglas)**

Replacement of Existing MRI and CT Scanners and Addition of a Second MRI Scanner

**Agency Decision:** Denied, 7/2/2024

**Appealed By:** Synergy Radiology, LLC d/b/a American Health Imaging of Douglasville ("Synergy"), 7/17/2024.

**Hearing Officer:** Ronald E. Daniels, Esq.

**Hearing Date:** 10/15-17/2024, 9:30 A.M. / Remote Video Conference

**Hearing Decision:** Reverses Department's 7/2/2024 decision and grants a CON to Synergy, 12/20/2024.

## **Requests for DET-EQT for Diagnostic or Therapeutic Equipment**

**DET-EQT2024096 Southeastern Cardiology Associates, P.C.**

Conversion of CON Authorization to DET

**Request received:** 8/9/2024

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET-EQT2024106 Northeast Georgia Medical Center, Inc. d/b/a NGMC South Hall**

Acquire an Intuitive ION Endoluminal System

**Request received:** 8/22/2024

**Contact Person:** Linda Berger

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/9/2024

**DET-EQT2024107 Northside Hospital, Inc. d/b/a Northside Hospital Forsyth**

Lease Mobile PET Services

**Request received:** 8/26/2024

**Contact Person:** Brian Toporek

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/9/2024

**DET-EQT2024108 Northside Hospital, Inc. d/b/a Northside Hospital Forsyth**

Lease Mobile PET Services

**Request received:** 8/26/2024

**Contact Person:** Brian Toporek

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/9/2024

**DET-EQT2024109 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett**

Lease Mobile PET Services



**Request received:** 8/26/2024  
**Contact Person:** Brian Toporek  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/9/2024

**DET-EQT2024110 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta**  
Lease Mobile PET Services  
**Request received:** 8/26/2024  
**Contact Person:** Brian Toporek  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/9/2024

**DET-EQT2024112 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta**  
Lease Mobile PET Services  
**Request received:** 8/26/2024  
**Contact Person:** Brian Toporek  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/9/2024

**DET-EQT2024113 Grady Memorial Hospital Corporation d/b/a Grady Health System**  
Acquisition of MRI  
**Request received:** 8/27/2024  
**Contact Person:** Mike McCarthy  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/10/2024

**DET-EQT2024114 Grady Memorial Hospital Corporation d/b/a Grady Health System**  
Acquisition of MRI  
**Request received:** 8/27/2024  
**Contact Person:** Mike McCarthy  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/10/2024

**DET-EQT2024117 Valdosta Family Medicine Associates, P.C.**  
Acquisition of CT Scanner  
**Request received:** 8/30/2024  
**Contact Person:** Wendy P. Cain  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/9/2024

**DET-EQT2024118 Phoebe Putney Memorial Hospital, Inc.**  
Replacement of CON-Authorized Cardiac Cath Equipment  
**Request received:** 9/5/2024  
**Contact Person:** Christopher M. Kane  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/10/2024

**DET-EQT2024119 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett**  
Acquisition of Replacement LINAC  
**Request received:** 9/6/2024  
**Contact Person:** Brian Toporek  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/30/2024

**DET-EQT2024120 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett**  
Acquisition of Replacement LINAC  
**Request received:** 9/6/2024  
**Contact Person:** Brian Toporek  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/30/2024

**DET-EQT2024121 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett**  
Acquisition of Replacement HDR Brachytherapy System  
**Request received:** 9/6/2024  
**Contact Person:** Brian Toporek  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/30/2024

**DET-EQT2024122 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett**  
Acquisition of CT Simulator  
**Request received:** 9/6/2024  
**Contact Person:** Brian Toporek  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/30/2024

**DET-EQT2024123 University Health Services, Inc. d/b/a Piedmont Augusta Hospital**

Replacement of Hybrid Equipment

**Request received:** 9/11/2024

**Contact Person:** Christine MacEwen

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/17/2024

**DET-EQT2024125 West Georgia Medical Center, Inc. d/b/a Wellstar West Georgia Medical**

Wellstar West Georgia Replacement of CON-Authorized LINAC

**Request received:** 9/12/2024

**Contact Person:** James Satcher

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/17/2024

**DET-EQT2024126 Kennestone Hospital, Inc. d/b/a Wellstar Windy Hill Hospital**

The Acquisition of Equipment (Mobile MRI Lease) Pursuant to O.C.G.A. § 31-6-47(a)(28)

**Request received:** 9/12/2024

**Contact Person:** James Satcher

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/17/2024

**DET-EQT2024128 Houston Hospitals, Inc. d/b/a Houston Healthcare**

Replacement of Existing Bulk Oxygen Unit

**Request received:** 9/17/2024

**Contact Person:** David S. Levitt

**Determination:** Pending

**DET-EQT2024129 Saint Joseph's Hospital of Atlanta, Inc.**

Acquisition of da Vinci 5 Dual Console System

**Request received:** 9/24/2024

**Contact Person:** Kevin Andrews

**Determination:** Pending

**DET-EQT2024132 Southeastern Regional Medical Center, Inc.**

Determination Request for Acquisition of da Vinci Robotic Surgical System

**Request received:** 10/7/2024

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET-EQT2024134 Lisa Prevention, LLC**

Acquisition of MRI

**Request received:** 10/8/2024

**Contact Person:** Leigh Rubinstein

**Determination:** Pending

**DET-EQT2024137 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett**

Acquisition of Hospital-Based CT Scanner

**Request received:** 10/14/2024

**Contact Person:** Brian Toporek

**Determination:** Pending

**DET-EQT2024138 John D. Archbold Memorial Hospital**

CT Replacement

**Request received:** 10/17/2024

**Contact Person:** Kathryn MT Platt

**Determination:** Pending

**DET-EQT2024139 Screven County Hospital d/b/a Optim Medical Center-Screven**

Lease of a Mobile MRI

**Request received:** 10/21/2024

**Contact Person:** Joseph R. Ross

**Determination:** Pending

**DET-EQT2024140 Optim Orthopedics, LLC**

Lease of MRI

**Request received:** 10/23/2024

**Contact Person:** Michele Madison  
**Determination:** Pending

**DET-EQT2024141 Adventist Health System Georgia, Inc. D/B/A AdventHealth Medical**  
Acquisition of a Nuclear Medicine Camera  
**Request received:** 10/25/2024  
**Contact Person:** Everette B Jenkins  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/30/2024

**DET-EQT2024142 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta**  
Acquisition of Surgical Robots  
**Request received:** 10/27/2024  
**Contact Person:** Brian Toporek  
**Determination:** Pending

**DET-EQT2024143 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta**  
Relocation/Retention of da Vinci Robot  
**Request received:** 10/27/2024  
**Contact Person:** Brian Toporek  
**Determination:** Pending

**DET-EQT2024144 Grady Memorial Hospital Corporation d/b/a Grady Health System**  
Replacement of Bi-plane Equipment  
**Request received:** 10/29/2024  
**Contact Person:** Mike McCarthy  
**Determination:** Non-reviewable as proposed      **Determination Date:** 12/27/2024

**DET-EQT2024145 Grady Memorial Hospital Corporation d/b/a Grady Health System**  
Acquire a Hyperbaric Chamber  
**Request received:** 10/29/2024  
**Contact Person:** Mike McCarthy  
**Determination:** Pending

**DET-EQT2024146 Kennestone Hospital, Inc. d/b/a Wellstar Kennestone Regional Medical**  
Acquire a da Vinci 5 Surgical System in the Hospital's Surgical Suite  
**Request received:** 10/30/2024  
**Contact Person:** James Satcher  
**Determination:** Non-reviewable as proposed      **Determination Date:** 1/6/2025

**DET-EQT2024147 Cobb Hospital, Inc. d/b/a Wellstar Cobb Medical Center**  
Wellstar Cobb da Vinci Purchase  
**Request received:** 10/30/2024  
**Contact Person:** James Satcher  
**Determination:** Non-reviewable as proposed      **Determination Date:** 1/6/2025

**DET-EQT2024148 Advanced Urology Institute of Georgia, P.C.**  
PET/CT Scanner-Advanced Urology Institute of Georgia, P.C.-Snellville  
**Request received:** 10/31/2024  
**Contact Person:** Joseph R. Ross  
**Determination:** Pending

**DET-EQT2024149 Cobb Hospital, Inc. d/b/a Wellstar Cobb Medical Center**  
Wellstar Cobb Medical Center 3T MRI Purchase  
**Request received:** 11/4/2024  
**Contact Person:** James Satcher  
**Determination:** Non-reviewable as proposed      **Determination Date:** 1/6/2025

**DET-EQT2024150 Phoebe Putney Memorial Hospital, Inc.**  
Replacement of CON-Authorized MRI Unit  
**Request received:** 11/7/2024  
**Contact Person:** Christopher M. Kane  
**Determination:** Pending

**DET-EQT2024151 Coastal Imaging and Center for Breast Health**

Acquisition of MRI

**Request received:** 11/8/2024

**Contact Person:** Jack Considine

**Determination:** Withdr/Appl Prior to Dec

**Date of Withdrawal:** 12/12/2024

**DET-EQT2024152 Northside Hospital Inc. d/b/a Northside Hospital Atlanta**

Temporary Acquisition of Mobile MRI

**Request received:** 11/8/2024

**Contact Person:** Brian Toporek

**Determination:** Non-reviewable as proposed      **Determination Date:** 1/6/2025

**DET-EQT2024153 Savannah Health Services, LLC**

Exempt Acquisition of CT Scanner

**Request received:** 11/8/2024

**Contact Person:** Daniel J. Monahan

**Determination:** Pending

**DET-EQT2024154 Northside Hospital, Inc. d/b/a Northside Hospital Forsyth**

Acquisition of SPECT-CT Camera

**Request received:** 11/8/2024

**Contact Person:** Brian Toporek

**Determination:** Pending

**DET-EQT2024155 Savannah Health Services, LLC**

Exempt Acquisition of Replacement LINAC

**Request received:** 11/11/2024

**Contact Person:** Daniel J. Monahan

**Determination:** Pending

**DET-EQT2024156 Dekalb Medical Center, Inc. d/b/a Emory Decatur Hospital**

Acquisition of PET/CT Scanner

**Request received:** 11/11/2024

**Contact Person:** Elliott L. Coward

**Determination:** Pending

**DET-EQT2024157 Dekalb Medical Center, Inc. d/b/a Emory Hillandale Hospital**

Lease Mobile MRI Unit.

**Request received:** 11/11/2024

**Contact Person:** Elliott L. Coward

**Determination:** Pending

**DET-EQT2024158 Houston Hospitals, Inc. d/b/a Houston Healthcare**

CT Replacement

**Request received:** 11/13/2024

**Contact Person:** David S. Levitt

**Determination:** Pending

**DET-EQT2024159 Houston Hospitals, Inc. d/b/a Houston Healthcare**

CT Replacement

**Request received:** 11/13/2024

**Contact Person:** David S. Levitt

**Determination:** Pending

**DET-EQT2024160 American Health Imaging of Georgia, LLC d/b/a American Health Imaging**

Replacement of Existing CT Scanner

**Request received:** 11/15/2024

**Contact Person:** Rebecca Thornhill

**Determination:** Pending

**DET-EQT2024161 Piedmont Hospital, Inc.**

Acquisition of Mobile PET

**Request received:** 11/19/2024

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET-EQT2024162 Coliseum Medical Center, Inc. d/b/a Piedmont Macon Medical Center**

Acquisition of Mobile PET

**Request received:** 11/19/2024

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET-EQT2024163 Grady Memorial Hospital Corporation d/b/a Grady Health System**

Acquisition of a CT Scanner

**Request received:** 11/19/2024

**Contact Person:** Mike McCarthy

**Determination:** Pending

**DET-EQT2024164 Heart and Vascular Care, Inc.**

Acquisition of a Cardiac PET/CT Scanner to replace Cardiac PET Scanner

**Request received:** 11/20/2024

**Contact Person:** Everette B Jenkins

**Determination:** Pending

**DET-EQT2024165 Emory University d/b/a Emory University Orthopaedics and Spine Hospital**

Acquisition of CT Scanner

**Request received:** 11/20/2024

**Contact Person:** Elliott L. Coward

**Determination:** Pending

**DET-EQT2024166 Emory University d/b/a Emory University Hospital**

Acquisition of Siemens Vida 3T MRI

**Request received:** 11/20/2024

**Contact Person:** Elliott L. Coward

**Determination:** Pending

**DET-EQT2024167 Kennestone Hospital, Inc. d/b/a Wellstar Kennestone Regional Medical**

Wellstar Kennestone Towne Lake Imaging HOD MRI Replacement

**Request received:** 11/22/2024

**Contact Person:** James Satcher

**Determination:** Pending

**DET-EQT2024168 South Georgia Medical Center, Inc.**

Acquisition of Surgical Equipment

**Request received:** 11/22/2024

**Contact Person:** Michele Madison

**Determination:** Pending

**DET-EQT2024169 Kennestone Hospital, Inc. d/b/a Wellstar Kennestone Regional Medical**

Wellstar Kennestone Replacement of Cardiac Cath EP Lab Equipment

**Request received:** 11/26/2024

**Contact Person:** James Satcher

**Determination:** Pending

**DET-EQT2024170 Kennestone Hospital, Inc. d/b/a Wellstar Kennestone Regional Medical**

Wellstar Kennestone Acworth Health Park Imaging HOD MRI Replacement

**Request received:** 11/26/2024

**Contact Person:** James Satcher

**Determination:** Pending

**DET-EQT2024171 Kennestone Hospital, Inc. d/b/a Wellstar Kennestone Regional Medical**

Wellstar Kennestone Acworth Health Park Imaging HOD CT Replacement

**Request received:** 11/26/2024

**Contact Person:** James Satcher

**Determination:** Pending

**DET-EQT2024172 Cobb Hospital, Inc. d/b/a Wellstar Cobb Medical Center**

HOD MRI Replacement

**Request received:** 11/26/2024

**Contact Person:** James Satcher

**Determination:** Pending

**DET-EQT2024173 Dekalb Medical Center, Inc. d/b/a Emory Decatur Hospital**

Acquisition of CT Scanner

**Request received:** 12/9/2024

**Contact Person:** Elliott L. Coward

**Determination:** Pending

**DET-EQT2024174 Georgia Bone & Joint, LLC**

Relocation of Existing MRI Unit

**Request received:** 12/13/2024

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET-EQT2024175 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta**

Acquisition of SPECT CT

**Request received:** 12/16/2024

**Contact Person:** Brian Toporek

**Determination:** Pending

**DET-EQT2024176 Advanced Urology Institute of Georgia, P.C.**

Acquisition of PET/CT Scanner

**Request received:** 12/18/2024

**Contact Person:** Joseph R. Ross

**Determination:** Pending

**DET-EQT2024177 Floyd Healthcare Management, Inc., d/b/a Atrium Health Floyd**

AH Floyd EP Equipment

**Request received:** 12/20/2024

**Contact Person:** Drew Dempsey

**Determination:** Pending

**DET-EQT2024178 Open MRI of Tifton, LLC**

Open MRI of Tifton LLC Request for Replacement of Existing MRI Unit

**Request received:** 12/20/2024

**Contact Person:** Rebecca M. Thornhill

**Determination:** Pending

**DET-EQT2024179 University McDuffie County Regional Medical Center, Inc. d/b/a Piedmont**

Acquisition of Mobile MRI

**Request received:** 12/23/2024

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET-EQT2024180 Piedmont Newton Hospital, Inc. d/b/a Piedmont Newton Hospital**

Acquisition of Fixed CT Scanner

**Request received:** 12/23/2024

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET-EQT2024181 Piedmont Newnan Hospital, Inc. d/b/a Piedmont Newnan Hospital**

PNH Mobile MRI

**Request received:** 12/24/2024

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET-EQT2024182 Piedmont Henry Hospital, Inc. d/b/a Piedmont Henry Hospital**

Piedmont Henry Hospital Electrophysiology (EP) Lab Equipment

**Request received:** 12/30/2024

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET-EQT2024183 Southeastern Regional Medical Center, Inc.**

Replacement CT Unit

**Request received:** 12/30/2024

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET-EQT2024184 Piedmont Rockdale Hospital, Inc. d/b/a Piedmont Rockdale Hospital**

Piedmont Rockdale Hospital Fixed CT Scanner 2024

**Request received:** 12/31/2024

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET-EQT2025001 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta**

Acquisition of Mobile PET/CT Unit

**Request received:** 1/3/2025

**Contact Person:** Brian Toporek

**Determination:** Pending

## **Requests for DET–ASC for Establishment of Physician-Owned Ambulatory Surgery Facilities**

*(Formerly: Requests for LNR for Establishment of Physician-Owned Ambulatory Surgery Facilities)*

**DET-ASC2024027 Marietta Eye Clinic, P.A.**

Establish a Single Specialty Ambulatory Surgical Center

**Site:** 4025 Johns Creek Parkway, Suite 200, Suwanee, GA 30024

**Number of OR's:** 2      **Specialty:** Ophthalmology

**Project costs as submitted:** \$0.00

**Request received:** 9/18/2024

**Contact Person:** Victor Moldovan

**Determination:** Approved

**Determination**

12/19/2024

**DET-ASC2024029 Ear, Nose, & Throat Clinic of Coffee County, LLC**

Establish a Single Specialty Ambulatory Surgical Center

**Site:** 314 Westside Drive, Douglas, GA 31533

**Number of OR's:** 2      **Specialty:** Otolaryngology

**Project costs as submitted:** \$0.00

**Request received:** 10/21/2024

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET-ASC2024030 Regenerative Spine and Pain Specialists, P.C.**

Establish a Single Specialty Ambulatory Surgical Center

**Site:** 3939 Roswell Rd, Suite 350, Marietta GA 30062

**Number of OR's:** 1      **Specialty:** Pain Medicine/Management

**Project costs as submitted:** \$1,579,468.51

**Request received:** 11/13/2024

**Contact Person:** Everette B Jenkins

**Determination:** Pending

**DET-ASC2024031 Augusta Orthopedic & Sports Medicine Specialists, P.C.**

Establish a Single Specialty Ambulatory Surgical Center

**Site:** 2510 Associates Way, Ste 200, Evans, GA 30809

**Number of OR's:** 2      **Specialty:** Orthopedics

**Project costs as submitted:** \$3,100,000.00

**Request received:** 12/4/2024

**Contact Person:** Clifton Richards

**Determination:** Pending

## Requests for Miscellaneous Letters of Determination

**DET2024177 Genesis Birth Concepts**

Women's Clinic/Freestanding Birth Center

**Request received:** 7/22/2024

**Contact Person:** Lynette Allen-Pye

**Determination:** Pending

**DET2024192 Burke Hospital Company, LLC d/b/a Burke Health**

Capital Expenditure for OR Bed Conversion

**Request received:** 8/20/2024

**Contact Person:** Victor Moldovan

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/31/2024

**DET2024193 Washington County Regional Medical Center**

Renovation/Replacement of Emergency Department and Second Floor Patient Rooms

**Request received:** 8/20/2024

**Contact Person:** Michele P. Madison, Esq.

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/17/2024

**DET2024196 Northeast Georgia Medical Center, Inc., d/b/a NGMC South Hall Campus**

Offer PET/CT Services Under CON Exemption

**Request received:** 8/21/2024

**Contact Person:** Linda Berger

**Determination:** Pending

**DET2024198 Gainesville Senior Center 2023 LLC**

Increase in Bed Capacity

**Request received:** 8/23/2024

**Contact Person:** Pamela Polley

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/17/2024

**DET2024200 Doctors Hospital of Augusta, LLC**

Hospital Capital Expenditure Pursuant to O.C.G.A. § 31-6-47(a)(29)(A)

**Request received:** 9/3/2024

**Contact Person:** Daniel J. Monahan

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/10/2024

**DET2024201 Veritas Collaborative Georgia, LLC**

Flexibility in Bed Utilization

**Request received:** 9/4/2024

**Contact Person:** Stephanie Seekins

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/17/2024

**DET2024203 University Health Services, Inc. d/b/a Piedmont Augusta Hospital**

Relocation of Hybrid OR

**Request received:** 9/11/2024

**Contact Person:** Christine MacEwen

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/17/2024

**DET2024204 Shepherd Center, Inc. d/b/a Shepherd Center**

Increase in Hospital Bed Capacity Pursuant to O.C.G.A. § 31-6-47(a)(15)

**Request received:** 9/13/2024

**Contact Person:** Jamie Shepherd

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/11/2024

**DET2024205 Shepherd Center, Inc. d/b/a Shepherd Center**

Hospital Renovation

**Request received:** 9/13/2024

**Contact Person:** Jamie Shepherd

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/12/2024

**DET2024208 Phoebe Worth Medical Center, Inc.**



Relocation of Hospital Laboratory Department

**Request received:** 9/18/2024

**Contact Person:** Christopher M. Kane

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/13/2024

**DET2024209 West Georgia Surgery Center, LLC**

Addition of Physician to Single Specialty JV ASC

**Request received:** 9/19/2024

**Contact Person:** Greg Schulenburg

**Determination:** Pending

**DET2024212 Floyd HomeCare, LLC**

Transfer of Home Health Counties

**Request received:** 9/24/2024

**Contact Person:** David Darden

**Determination:** Pending

**DET2024215 St. Mary's Sacred Heart Hospital, Inc.**

Establish Wound Care Clinic on Main Hospital Campus

**Request received:** 10/9/2024

**Contact Person:** Elizabeth Schoen

**Determination:** Pending

**DET2024216 Grady Memorial Hospital Corporation**

Crestview Infrastructure Expansion

**Request received:** 10/9/2024

**Contact Person:** David S. Levitt

**Determination:** Non-reviewable as proposed      **Determination Date:** 12/10/2024

**DET2024217 Canterbury Court, Inc.**

Request for Sheltered Bed Conversion

**Request received:** 10/10/2024

**Contact Person:** Elizabeth Woltzen

**Determination:** Pending

**DET2024219 Floyd Healthcare Management, Inc., d/b/a Atrium Health Floyd**

Sterile Processing Renovation

**Request received:** 10/14/2024

**Contact Person:** Drew Dempsey

**Determination:** Pending

**DET2024220 AU Medical Center, Inc. d/b/a Wellstar MCG Health**

Wellstar MCG Health Relocation of HOD

**Request received:** 10/15/2024

**Contact Person:** James Satcher

**Determination:** Pending

**DET2024221 Piedmont Athens Regional Medical Center, Inc.**

Renovation of Imaging Area

**Request received:** 10/16/2024

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET2024222 Wellstar Spalding Regional Hospital, Inc. d/b/a Wellstar Spalding Medical**

Request to Relocate and Expand the Hospital Biomed Department

**Request received:** 10/24/2024

**Contact Person:** James Satcher

**Determination:** Pending

**DET2024223 Grady Memorial Hospital Corporation d/b/a Grady Health System**

Establish Wound Care Center

**Request received:** 10/29/2024

**Contact Person:** Mike McCarthy

**Determination:** Pending

**DET2024224 Candler Hospital, Inc.**

Renovation of Post-Surgical Care Unit and Operating Room Staff Areas

**Request received:** 10/30/2024

**Contact Person:** Brad Trower

**Determination:** Pending

**DET2024226 Center for Advanced Research & Education, LLC**

Relocation of PET Unit

**Request received:** 11/6/2024

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET2024228 RenewalMD, PC**

Use of ASC by Non-Practice Physicians of the Same Specialty

**Request received:** 11/14/2024

**Contact Person:** Scott Regan

**Determination:** Pending

**DET2024229 Vidalia Health Services, LLC d/b/a Memorial Health Meadows Hospital**

Addition of Three Emergency Department Beds

**Request received:** 11/19/2024

**Contact Person:** Mike Hagan

**Determination:** Pending

**DET2024230 Merus Gastroenterology & Gut Health, LLC**

Establishment of an Endoscopy Center

**Request received:** 11/19/2024

**Contact Person:** Joseph R. Ross

**Determination:** Pending

**DET2024231 St. Mary's Hospital, Inc. f/k/a St. Mary's Health Care System, Inc.**

Facility Relocation

**Request received:** 11/20/2024

**Contact Person:** Donna Toney

**Determination:** Pending

**DET2024232 Savannah Health Services, LLC**

Renovation and Expansion

**Request received:** 11/21/2024

**Contact Person:** Daniel J. Monahan

**Determination:** Pending

**DET2024233 Arthur M. Blank Hospital, Inc.**

Performance of PA Reconstructive Procedures in Hybrid Cath Labs

**Request received:** 11/25/2024

**Contact Person:** David Fenstermacher, Jr.

**Determination:** Pending

**DET2024234 Atlanta Surgery Center, Ltd. d/b/a Atlanta Outpatient Surgery Center**

Relocation of CON-Authorized Multi-Specialty Ambulatory Surgery

**Request received:** 12/2/2024

**Contact Person:** John W. Ray, Jr.

**Determination:** Pending

**DET2024235 Center for Advanced Research & Education, LLC**

Cost Overrun

**Request received:** 12/3/2024

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET2024236 Oksana Health dba Smyrna Village**

Increase in Personal Care Home Occupancy from 40 to 46

**Request received:** 12/5/2024

**Contact Person:** Nataly Sich

**Determination:** Pending

**DET2024237 Magnolia Senior Living @ Warner Robins LLC**

Establishment of 80-Bed Assisted Living Facility

**Request received:** 12/8/2024

**Contact Person:** Zhicong Chen

**Determination:** Pending

**DET2024238 Crisp Regional Hospital, Inc.**

Confirmation that Cost Overrun is Not Reviewable

**Request received:** 12/13/2024

**Contact Person:** Michele Madison

**Determination:** Pending

**DET2024239 Health Systems Real Estate, Inc.**

Addition and Renovation of Existing Skilled Nursing Center

**Request received:** 12/13/2024

**Contact Person:** Ronnie D. Rollins

**Determination:** Withdr/Appl Prior to Dec

**Date of Withdrawal:** 12/17/2024

**DET2024240 Northside Hospital, Inc. d/b/a Northside Hospital Forsyth**

Expansion of Bed Capacity

**Request received:** 12/16/2024

**Contact Person:** Brian Toporek

**Determination:** Pending

**DET2024241 Northside Hospital, Inc. d/b/a Northside Hospital Forsyth**

Capital Expenditure Below Threshold

**Request received:** 12/16/2024

**Contact Person:** Brian Toporek

**Determination:** Pending

**DET2024242 Floyd Healthcare Management, Inc., d/b/a Atrium Health Floyd**

Atrium Health Floyd 3rd Floor Renovation

**Request received:** 12/16/2024

**Contact Person:** Drew Dempsey

**Determination:** Pending

**DET2024243 Northside Hospital, Inc. d/b/a/ Northside Hospital Forsyth**

Renovation of OR Lighting

**Request received:** 12/16/2024

**Contact Person:** Brian Toporek

**Determination:** Pending

**DET2024244 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta**

Cystoscopy Renovation

**Request received:** 12/16/2024

**Contact Person:** Brian Toporek

**Determination:** Pending

**DET2024245 Health Systems Real Estate, Inc.**

Addition and Renovation of Existing Skilled Nursing Center

**Request received:** 12/16/2024

**Contact Person:** Ronnie D. Rollins

**Determination:** Pending

**DET2024247 Houston Hospitals, Inc. d/b/a Houston Healthcare**

Bulk Oxygen Tank Replacement

**Request received:** 12/18/2024

**Contact Person:** David S. Levitt

**Determination:** Pending

**DET2024248 Ashton Woods Healthcare Properties, Inc.**  
Renovations to an Existing CON-Authorized Skilled Nursing Facility  
**Request received:** 12/20/2024  
**Contact Person:** Connor Seim  
**Determination:** Pending

**DET2024249 The Timbers on Blackwell Creek Assisted Living and Memory Care**  
Establishment of Assisted Living and Memory Care Community  
**Request received:** 12/23/2024  
**Contact Person:** Craig Thomas  
**Determination:** Pending

**DET2024250 Atlanta Spine Surgery Center, LLC**  
Use of CON-Exempt ASC by Non-Employed Surgeons of Same Specialty  
**Request received:** 12/23/2024  
**Contact Person:** Kimberly Ford  
**Determination:** Pending

**DET2024251 Northside Hospital, Inc. d/b/a/ Northside Hospital Cherokee**  
Replacement of CON-Exempt Cardiac Cath Equipment  
**Request received:** 12/26/2024  
**Contact Person:** Brian Toporek  
**Determination:** Pending

**DET2025001 Parkside at Ivy Hall LLC**  
Relocation of Skilled Nursing Facility  
**Request received:** 1/2/2025  
**Contact Person:** Marty Chafin  
**Determination:** Pending

## Requests for Extended Implementation/Effective Period

**2023062 Center for Advanced Research & Education, LLC**  
Acquisition of PET Unit – Batching  
Request to Extend Completion Period  
**Site:** 2350 Limestone Parkway, Gainesville (Hall)  
**Project Approved:** 12/18/2023  
**Request Received:** 11/6/2024  
**Contact:** Chris Recknor, M.D., Founder/Physician (770-534-5154)  
**Approved Cost:** \$ 660,000  
**Determination:** Approved, 12/10/2024 **Extended Mandatory Completion:** December 18, 2025

**2023057 Piedmont Healthcare Encompass Health Eastside Rehabilitation Hospital, LLC**  
Establishment of Freestanding 40-Bed CIPR Hospital – Batching  
Request to Extend Implementation Period  
**Site:** 3195 Loganville Highway, Loganville (Gwinnett)  
**Project Approved:** 12/18/2023  
**Request Received:** 11/13/2024  
**Contact:** Carey B. McRae, Assoc. Gen. Counsel (205-970-3442)  
**Approved Cost:** \$ 52,805,288  
**Determination:** Approved, 12/16/2024 **Extended Mandatory Implementation:** December 18, 2025

## Need Projection Analyses Posted **12/31/2024**

Current Status of Official Office of Health Planning Need Projection Analyses and Other Data Resources

[Need Projections and Maps for CON Regulated Services](#)

2029 Non-Special MRT Need Projection – Posted 12/31/2024

2029 PET Need Projection – Posted 12/31/2024

2029 Ambulatory Surgical Services Need Projection by HPA– Posted 10/1/2024

2029 Inpatient Physical Rehabilitation Need Projections – Posted 10/1/2024

2029 Neonatal Intermediate Care Bed Need Projection – Posted 10/1/2024

2029 Neonatal Intensive Care Bed Need Projection – Posted 12/31/2024

2029 Obstetric Services Bed Need Projection – Posted 10/1/2024

2027 Nursing Home Bed Need Projection – Posted 10/1/2024

2027 Home Health Agency Services Need Projection - Posted 10/1/2024

Non-Batched Need Projections

2028 Long Term Care Hospital Beds - 1/5/2024

Note: Short Stay Hospital Bed Need Projections are facility-specific and completed by DCH on an ad hoc basis upon request.

## **Non-Filed or Incomplete Office of Health Planning Facility Surveys**

Required Annual Surveys are available to individual facilities for completion and submission to the Department at <https://www.georgiahealthdata.info>.

## ***NEW CERTIFICATE OF NEED FILING REQUIREMENTS***

Effective June 17, 2022, the updated Georgia CON Application Form, available at <https://dch.georgia.gov/con-applications-and-forms>, must be used to submit a request for a Certificate of Need.

### **Letters of Intent**

O.C.G.A. § 31-6-40(b) provides that:

Any person proposing to develop or offer a new institutional health service or health care facility shall, before commencing such activity, submit a letter of intent and an application to the department and obtain a certificate of need in the manner provided in this chapter unless such activity is excluded from the scope of this chapter.

O.C.G.A. § 31-6-43(a) further provides that:

At least 30 days prior to submitting an application for a certificate of need for clinical health services, a person shall submit a letter of intent to the department. The department shall provide by rule a process for submitting letters of intent and a mechanism by which applications may be filed to compete with and be reviewed comparatively with proposals described in submitted letters of intent.

All parties interested in applying for a certificate of need for new institutional health services  
**MUST NOTIFY THE DEPARTMENT 30 DAYS PRIOR TO FILING AN APPLICATION**  
of their intent to do so. This notice must be in writing and must contain the following information:

- Name and address of legal applicant;
- Person to whom inquiries may be addressed;
- Name, address of facility, if different from legal applicant;
- Proposed Project Site Location;
- Brief summary description of proposal;
- Proposed service area; and,
- Cost of the project.

The Department will not accept any letters of intent submitted by either telephone, facsimile or e-mail pursuant to Rule 111-2-2-.06(5). **In-person filings are no longer accepted.**

All forms must be submitted electronically through the Department's website at <https://dch.georgia.gov/office-health-planning-applications-and-requests-forms-0>.

Note: No CON application will be accepted without a previously filed Letter of Intent. The CON application must be submitted no later than 30 days after the Letter of Intent has been received by the Department.

### **Instructions for Organization of Appendices**

**Appendices** in the application must be separated by **dividing sheets** upon submission to the Office of Health Planning.

For Appendices with multiple documents, each document in that specific appendix must be separated by a **light-colored** dividing sheet containing the name of the document which follows the dividing sheet.

These instructions are listed on Page iv of the CON application form. Compliance with these instructions is required pursuant to Rule 111-2-2-.06(2).

### **Determining Completeness**

Please note the completeness requirements for all applications may be found at Rule 111-2-2-.06(5). Expired, deficient, or invalid information will not be accepted as documentation for the purposes of deeming an application complete.

## Batching Review

The below reviewable CON services are grouped for review into quarterly Batching Cycles. These Batching Cycles and the related services, generally, are as follows:

	Batched Service	Batching Notice	Letter of Intent	Application Deadline
FALL	Home Health, Skilled Nursing Facilities, Intermediate Care Facilities, Perinatal Service, Inpatient Rehabilitation, Ambulatory Surgery, Obstetrical Services	September	October	November
WINTER	PET, Mega Voltage Radiation Therapy, Pediatric Cath/Open Heart, Adult Open Heart, Psych/Substance Abuse, Birthing Centers	December	January	February
SPRING	Home Health, Skilled Nursing Facilities, Intermediate Care Facilities, Perinatal Service, Inpatient Rehabilitation, Ambulatory Surgery, Obstetrical Services	March	April	May
SUMMER	PET, Mega Voltage Radiation Therapy, Pediatric Cath/Open Heart, Adult Open Heart, Psych/Substance Abuse, Birthing Centers	June	July	August

### Batching Notifications— *Posted 12/31/2024 on DCH Website*

#### Winter Batching Review Cycle Notifications

The requirements for Letters of Intent associated with designated Batching Cycles will be issued at the time of publication of the Batching Notice.

**Letters of Intent** for services or facilities for which there is no specified batching cycle, or other applicable rule, may be filed at any time.

[Positron Emission Tomography](#)

[MegaVoltage Radiation Therapy](#)

[Pediatric Cath/Open Heart](#)

[Adult Open Heart](#)

[Birthing Centers](#)

[Psych/Substance Abuse](#)

[Neonatal Intensive Care](#)

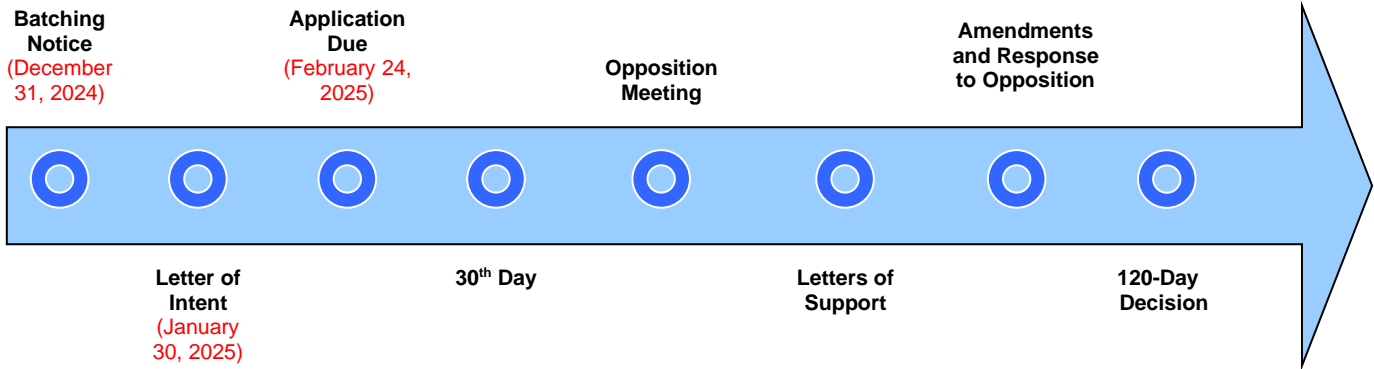
Need Projections can be found on the [“OHP Need Projections” Page](#)

# BATCHED APPLICATIONS

## SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES

Notice of the specific deadlines for each review activity will be provided for each application.

### WINTER CYCLE



- ▶ Batching Notice issued 30 days before Letter of Intent is due
- ▶ Letter of Intent received by Department 25 days before application is submitted
- ▶ Applications submitted; review cycle begins
- ▶ 30<sup>th</sup> Day; deadline for receipt of opposition notice(s)
- ▶ Opposition Meeting; opposing parties must provide written statement of opposition arguments presented to the Department and to the applicant; presentation time will be limited.
- ▶ Applicant submits letters of support to the Department
- ▶ Applicant provides amended information, a written response to opposition and a written response to the Department's inquiries subsequent to the opposition meeting, if applicable.
- ▶ 120-Day Decision issued (No discretion to extend review cycle)

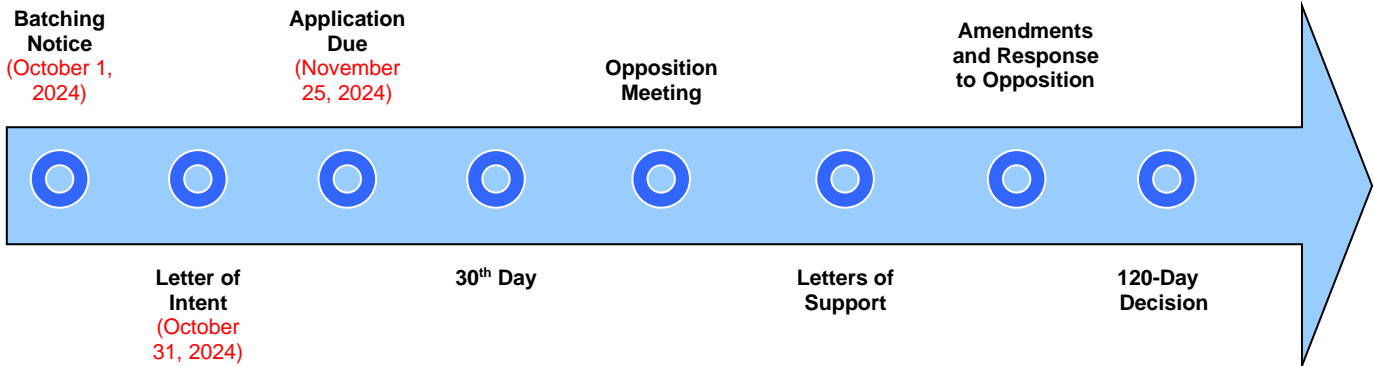


# BATCHED APPLICATIONS

## SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES

Notice of the specific deadlines for each review activity will be provided for each application.

### FALL CYCLE

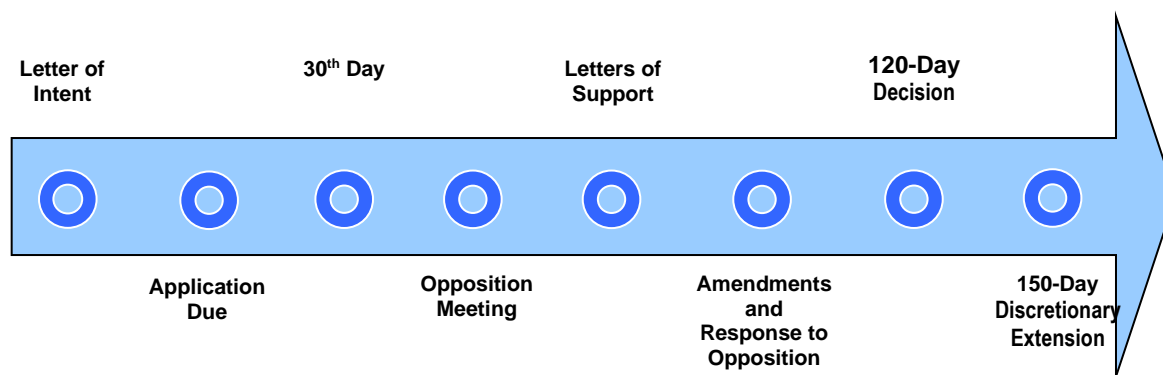


- ▶ Batching Notice issued 30 days before Letter of Intent is due
- ▶ Letter of Intent received by Department 25 days before application is submitted
- ▶ Applications submitted; review cycle begins
- ▶ 30<sup>th</sup> Day; deadline for receipt of opposition notice(s)
- ▶ Opposition Meeting; opposing parties must provide written statement of opposition arguments presented to the Department and to the applicant; presentation time will be limited.
- ▶ Applicant submits letters of support to the Department
- ▶ Applicant provides amended information, a written response to opposition and a written response to the Department's inquiries subsequent to the opposition meeting, if applicable.
- ▶ 120-Day Decision issued (No discretion to extend review cycle)

## NON-BATCHED APPLICATIONS

### SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES

Notice of the specific deadlines for each review activity will be provided for each application.



- ▶ Letter of Intent received by Department 25 days before application is submitted
- ▶ Application submitted; review cycle begins
- ▶ 30<sup>th</sup> Day; deadline for receipt of opposition notice(s)
- ▶ Opposition Meeting; opposing parties must provide written statement of opposition arguments presented to the Department and to the applicant; presentation time will be limited.
- ▶ Applicant submits letters of support to the Department.
- ▶ Applicant provides amended information, a written response to opposition and a written response to the Department's inquiries subsequent to the opposition meeting, if applicable.
- ▶ 120-day Decision issued (Department has discretion to extend review cycle to 150 days).

## Office of Health Planning Contact Information

Karesha Laing, Interim Executive Director, Office of Health Planning,  
Georgia Department of Community Health, 2 Martin Luther King Jr. Drive SE, East Tower, 16th Floor,  
Atlanta, GA 30334  
([klaing@dch.ga.gov](mailto:klaing@dch.ga.gov))

For questions concerning pending Certificate of Need applications please contact Bruce  
Henderson, Compliance Specialist Supervisor  
([bhenderson@dch.ga.gov](mailto:bhenderson@dch.ga.gov))

For questions concerning Health Planning surveys and indigent and charity care commitment  
shortfalls please contact Steve Cappel, Data Manager  
([steve.cappel@dch.ga.gov](mailto:steve.cappel@dch.ga.gov))

For all other CON-related questions, please email [OHP.Help@dch.ga.gov](mailto:OHP.Help@dch.ga.gov).

## Letters of Determination, generally

The Department will require that a determination request be submitted for any proposed activity that may be exempt under O.C.G.A. § 31-6-1 et seq. Such requests will be accepted only on the Department's form with the required filing fee of \$250.00. Requests for confirmation of the exemption for equipment below the threshold will be accepted only on the applicable form and will also require a \$250.00 filing fee. Note: Requests for confirmation of the exemptions for a single specialty ambulatory surgical center or a joint venture ambulatory surgical center below the threshold require a \$250.00 filing fee.

## Requirements for Verification of Lawful Presence within the United States

The Department will no longer require information relating to this topic for Certificate of Need applications.

## Periodic Reporting Requirements

From June 1, 2016 until September 15, 2016, the Department, through the Office of Health Planning, permitted facilities an opportunity to complete outstanding surveys in order to become compliant. Facilities not in compliance after the September deadline received a Notification of Deficiencies which included details regarding the outstanding surveys, where surveys could be completed, and contact information for the Department. To confirm whether your facility has an outstanding survey please contact Steve Cappel, Data Manager, at [steve.cappel@dch.ga.gov](mailto:steve.cappel@dch.ga.gov). To complete a survey, please visit [www.georgiahealthdata.info](http://www.georgiahealthdata.info).

**CON Thresholds** become effective annually on July 1. The current and effective thresholds can be found on the CON Thresholds page: <http://dch.georgia.gov/con-thresholds>.

## Special Note

The [Letters of Intent](#) section of the Tracking and Appeals Report provides the date on which the CON Application must be submitted for each potential project. If the CON application is not received on that date, the associated Letter of Intent is considered expired.

Please do not submit Letters of Opposition or Letters of Support prior to the Department's receipt of an actual Certificate of Need application.

## Open Record Requests

Requests for documents or other information can be obtained using the Open Record Request form found at the following:

<https://dch.georgia.gov/divisionsoffices/office-health-planning/certificate-need-con>

The ORR Form found there should be emailed to [HealthPlanningInfo@dch.ga.gov](mailto:HealthPlanningInfo@dch.ga.gov)

## Web Links

Please access copies of available Health Planning decisions and documents at the following web address:

<https://weblink.dch.georgia.gov/WebLink8/Browse.aspx?startid=63&dbid=1>

Please also visit <https://forms.dch.georgia.gov/HFRD/> for healthcare facility and reporting information.

## LNR Conversion

As of June 1, 2016, absent the proposed undertaking of a reviewable action necessitating prior CON review and approval, the Department will no longer engage in CON review of facilities in possession of an LNR.

## DET Review, generally

Pursuant to the Department's adoption of the Facility Guidelines Institute 2018 physical plant updates on April 15, 2018, effective August 1, 2018, the Office of Health Planning will no longer engage in the review or issuance of letters of determination regarding the applicability of the CON laws to those freestanding facilities seeking to perform procedures outside of either an operating room environment or a dedicated non-sterile endoscopy room as they categorically do not meet the definition of a reviewable ambulatory surgical or obstetrical facility.

## DET-ASC Requests

**Effective March 14, 2022**, the Ambulatory Surgical Center Determination Form available at <https://dch.georgia.gov/con-applications-and-forms> must be used to submit a request for a letter of determination for the establishment of an ambulatory surgical center (DET-ASC, formerly request for letter of non-reviewability for establishment of an ambulatory surgical center (LNR-ASC)).

### CERTIFICATE OF NEED APPEAL PANEL

David C. Will  
(Chair, appointed on December 21, 2023)

William C. Joy  
(Reappointed on January 28, 2021)

Carl P. Dowling  
(Appointed on February 22, 2023)

Ronald E. Daniels  
(Appointed on September 5, 2023)

Oliver Wendell Horne, III  
(Appointed on December 21, 2023)

## NOTICE REGARDING HB 1339

HB 1339, which revises the Certificate of Need (CON) process and adds several new exemptions, was signed by Governor Kemp on April 19, 2024. Beginning on July 1, 2024, the Office of Health Planning will accept requests for letters of determination for the new exemptions. A request for a letter of determination must also be submitted for any activity which is believed to be excluded from review prior to its implementation. Updated request forms will be available for use on July 1, 2024.

While the Office of Health Planning cannot give legal advice, general CON-related questions or inquiries, may be sent to: [OHP.Help@dch.ga.gov](mailto:OHP.Help@dch.ga.gov).

More information on HB 1339 is available here: <https://www.legis.ga.gov/legislation/67221>

## IMPORTANT NOTICE RELATED TO REQUESTS FOR ADMINISTRATIVE APPEAL

Effective September 1, 2022, all requests for an initial administrative appeal hearing or to intervene in such a hearing, related documents and filings must be submitted electronically through the Office of Health Planning's web portal. The Office of Health Planning is longer accepting in-person filings. Please refer to the Notice Related to Electronic Filings below.

## IMPORTANT NOTICE RELATED TO ELECTRONIC FILINGS

Effective March 31, 2022, all *Office of Health Planning* applications and requests must be submitted electronically through our web portal. We are no longer accepting in-person filings. If you need to submit a document for which a web form is currently unavailable, please timely mail your submission to:

**Department of Community Health  
Office of Health Planning  
2 Martin Luther King Jr. Drive SE, East Tower, 16th Floor  
Atlanta, GA 30334**

The web portal may be accessed here: <https://dch.georgia.gov/office-health-planning-applications-and-requests-forms-0>

## IMPORTANT NOTICE RELATED TO RECENTLY ADOPTED RULES

The following rules have been adopted by the Board of Community Health and implemented by the Georgia Secretary of State, effective December 30, 2024.

### 111-2-1-.02 Health Planning Functions of the Department

The above may be accessed here: <https://rules.sos.ga.gov/gac/111-2-1-.02v2>

Updates to Ga. Comp. Rules & Regs. r. 111-2-2 were adopted by the Board of Community Health on November 14, 2024 and will be implemented by the Georgia Secretary of State, effective January 13, 2025.

The adopted rules may be accessed here: <https://dch.georgia.gov/document/document/health-planning-certificate-need-rules-111-2-2-final-adoption/download>

The rules in effect until January 13, 2025, may be accessed here:

<https://dch.georgia.gov/document/document/health-planning-certificate-need-111-2-2-rules-final-adoption-rev-v2/download>