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# Office of Health Planning



GEORGIA DEPARTMENT  
OF COMMUNITY HEALTH

## ***CERTIFICATE OF NEED***

# Tracking And Appeals Report

***January 27, 2021 – February 2, 2021***

Georgia Department of Community Health  
Office of Health Planning  
2 Peachtree Street  
5th Floor  
Atlanta, Georgia 30303-3159

(404) 656-0409  
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**IMPORTANT NOTICES**

## Letters of Intent

### **LOI2021001 Piedmont Athens Regional Medical Center**

Addition of 68 Inpatient Beds

**Received: 1/11/2021**

**Application must be submitted on: 2/10/2021**

**Site:** 1199 Prince Avenue, Athens, GA 30606 (Clarke County)

**Estimated Cost:** \$38,000,000

## Letters of Intent – Batching

### **Megavoltage Radiation Therapy**

#### **LOI2021002 Paulding Medical Center, Inc. d/b/a Wellstar Paulding Hospital**

Acquire and Operate Second Linear Accelerator - [Batching](#)

**Received: 1/19/2021** (Rollover Date) **Application must be submitted on: 2/16/2021**

**Site:** 2518 Jimmy Lee Smith Parkway, Hiram, GA 30141 (Paulding County)

**Estimated Cost:** \$10,500,000

#### **LOI2021003 St. Joseph's/Candler Radiation Oncology - Statesboro**

Establish Radiation Therapy Services - [Batching](#)

**Received: 1/19/2021** (Rollover Date) **Application must be submitted on: 2/16/2021**

**Site:** Highway 67, Parden ID: MS75000019 000, Statesboro, GA 30458 (Bulloch County)

**Estimated Cost:** \$19,760,000

#### **LOI2021005 South Georgia Center for Cancer Care, LLC**

Purchase Additional Linear Accelerator - [Batching](#)

**Received: 1/19/2021** (Rollover Date) **Application must be submitted on: 2/16/2021**

**Site:** 27 Lester Road, Statesboro, GA 30458 (Bulloch County)

**Estimated Cost:** \$6,000,000

#### **LOI2021006 University Cancer & Blood Center, LLC**

Develop New DTRC Offering Non-Special Megavoltage Radiation Therapy Services - [Batching](#)

**Received: 1/19/2021** (Rollover Date) **Application must be submitted on: 2/16/2021**

**Site:** 3320 Old Jefferson Road Building 700, Athens, GA 30607 (Clarke County)

**Estimated Cost:** \$10,500,000

#### **LOI2021007 Wellstar North Fulton Hospital, Inc. d/b/a Wellstar North Fulton Hospital**

Acquire and Operate CyberKnife Unit - [Batching](#)

**Received: 1/19/2021** (Rollover Date) **Application must be submitted on: 2/16/2021**

**Site:** 3000 Hospital Boulevard, Roswell, GA 30076 (Fulton County)

**Estimated Cost:** \$10,500,000

### **Positron Emission Tomography Services**

#### **LOI2021004 Cobb Hospital, Inc. d/b/a Wellstar Cobb Hospital**

Offer Mobile-Based PET/CT Services - [Batching](#)

**Received: 1/19/2021** (Rollover Date) **Application must be submitted on: 2/16/2021**

**Site:** 3950 Austell Road, Austell, GA 30106 (Cobb County)

**Estimated Cost:** \$145,000

## Expired Letters of Intent

none

## Withdrawn CON Applications

**2020-033 Cartersville Medical Center, LLC d/b/a Cartersville Medical Center**

Cost Overrun for CON2018-036

**Filed: 11/4/2020 Deemed Complete: 11/18/2020**

**60th Day Deadline: 1/16/2021**

**Decision Deadline: 3/17/2021**

**WITHDRAWN: 2/1/2021**

**Site:** 960 Joe Frank Harris Parkway, Cartersville, GA 30120 (Bartow County)

**Contact:** Lori E. Rakes, FACHE, Chief Operating Officer 770-387-8181

**Estimated Cost:** \$6,075,837

## **New CON Applications**

**2021-002 Townsend Park Health and Rehabilitation**

Replacement of Facility

**Filed: 1/20/2021**

**Site:** 196 North Dixie Avenue, Cartersville, GA 30120 (Bartow County)

**Contact:** Stelling Nelson 478-986-7484

**Estimated Cost:** \$11,677,157

**2021-003 Northside Hospital Cherokee**

Add 4 Shared Operating Rooms

**Filed: 1/20/2021**

**Site:** 450 Northside Cherokee Blvd, Canton, GA 30115 (Cherokee County)

**Contact:** Brian Toporek 404-851-6821

**Estimated Cost:** \$17,506,202

## **Pending Review/Incomplete Applications**

none

## **Pending Review/Complete Applications**

**2020-034 Wellstar Kennestone Hospital**

Expand Neonatal Intensive Care Service (Level III) - [Batching](#)

**Filed: 11/17/2020 Deemed Complete: 11/17/2020**

**60th Day Deadline: 1/15/2021**

**Decision Deadline: 3/16/2021**

**Site:** 677 Church Street, Marietta, GA 30060 (Cobb County)

**Contact:** April Austin, Manager, Strategic Planning 470-644-0057

**Estimated Cost:** \$264,000

**2020-035 Rehabilitation Hospital of Atlanta**

Establish 40-Bed Freestanding Comprehensive Inpatient Physical Rehabilitation Program - [Batching](#)

**Filed: 11/17/2020 Deemed Complete: 11/17/2020**

**60th Day Deadline: 1/15/2021**

**Decision Deadline: 3/16/2021**

**Site:** 1968 Peachtree Road NW, Atlanta, GA 30309 (Fulton County)

**Contact:** Christine Macewen, Executive Director, Corporate D 404-425-1307

**Estimated Cost:** \$22,000,000

**2020-036 Rehabilitation Hospital of Columbus**

Establish a 40-Bed Freestanding Comprehensive Inpatient Physical Rehabilitation Program - [Batching](#)

**Filed: 11/17/2020 Deemed Complete: 11/17/2020**

**60th Day Deadline: 1/15/2021**

**Decision Deadline: 3/16/2021**

**Site:** 8301 Veterans Parkway, Columbus, GA 31909 (Muscogee County)

**Contact:** Christine Macewen, Executive Director, Corporate D 404-425-1307

**Estimated Cost:** \$35,000,000

**2020-037 American Health Imaging of Savannah**

CT Scanner Acquisition

**Filed:** 11/18/2020 **Deemed Incomplete:** 12/1/2020 **Deemed Complete:** 12/2/2020

**60th Day Deadline:** 1/30/2021

**Decision Deadline:** 3/31/2021

**Site:** 30 Janet Drive, Suite 101, Savannah, GA 31405 (Chatham County)

**Contact:** Stephen Janis, Chief Development Officer 404-296-5887

**Estimated Cost:** \$386,250

**2020-038 American Health Imaging Stand Up MRI**

American Health Imaging Stand Up MRI

**Filed:** 12/9/2020 **Deemed Complete:** 12/22/2020

**60th Day Deadline:** 2/19/2021

**Decision Deadline:** 4/20/2021

**Site:** 6590 Powers Ferry Road NW, GA 30339 (Fulton County)

**Contact:** Scott W. Arant 404-296-5887

**Estimated Cost:** \$1,318,750

**2021-001 Piedmont Rockdale Hospital**

Addition of 23 Inpatient Beds

**Filed:** 1/11/2021 **Deemed Incomplete:** 1/22/2021 **Deemed Complete:** 2/2/2021

**60th Day Deadline:** 4/2/2021

**Decision Deadline:** 6/1/2021

**Site:** 1412 Millstead Avenue, Conyers, GA 30012 (Rockdale County)

**Contact:** Blake Watts, Exec. Dir. Operations 770-918-3755

**Estimated Cost:** \$13,291,416

## Recently Approved Applications

none

## Recently Denied 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.

**DET-EQT2020032 CHI Memorial Hospital-Georgia, Inc. (“Memorial”)** Request for Equipment Letter of Determination received on 4/13/2020, regarding the acquisition of a Siemens Magnetom Aera 1.5T MRI and a Siemens AS64 Eco CT scanner.

**Agency Decision:** Approved on 6/11/2020

**Appealed:** Battlefield Imaging, LLC (“BI”) filed Request for Administrative Appeal on 7/6/2020. BI filed Request for Stay of Determination Pending Administrative Appeal on 7/30/2020.

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

**Hearing Date:** N/A

**Hearing Decision:** Hearing Officer denied BI's Motion for Summary Adjudication; granted Memorial's Motion for Summary Adjudication; granted the Department's Motion for Summary Adjudication, 11/6/2020. BI requested Commissioner Review, 12/9/2020.

**Commissioner Review Decision:** Affirmed Hearing Officer's 11/6/2020 decision denying BI's Motion for Summary Adjudication, granting the Department's and Memorial's Motions for Summary Adjudication, and affirming the Department's 6/11/2020 determination, 1/5/2021.

**DET2020-113 Adventist Health System Georgia, Inc. d/b/a AdventHealth Gordon ("AdventHealth")** Request for Letter of Determination received on 5/13/2020, regarding the performance of therapeutic cardiac catheterization procedures.

**Agency Decision:** Approved on 7/15/2020

**Appealed:** Hamilton Medical Center, Inc. ("Hamilton") filed Request for Administrative Appeal on 8/13/2020.

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

**Hearing Date:** N/A

**Hearing Decision:** Hearing Officer denied Hamilton's Request for Administrative Appeal; granted AdventHealth's Motion for Summary Adjudication; affirmed the Department's 7/15/2020 determination, 12/10/2020.

**DET2020-161 Greene County Health Care, LLC dba Greene Point Health and Rehabilitation** Request for Letter of Determination received on 7/15/2020, regarding the relocation of 50 SNF beds within the same county.

**Agency Decision:** Denied on 9/11/2020

**Appealed:** Greene County Healthcare, LLC d/b/a Greene Point Health and Rehabilitation filed Request for Administrative Appeal Hearing on 10/19/2020.

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

**Hearing Date:** Pending

**DET-EQT2020-052 The Multiple Sclerosis Center of Georgia, Inc.** Request for Letter of Determination received on 8/24/2020, regarding the acquisition of a GE Healthcare HDXT MRI with a CXK4 magnet.

**Agency Decision:** Denied on 12/16/2020

**Appealed:** The Multiple Sclerosis Center of Georgia ("MSCG") filed Request for Administrative Appeal Hearing on 1/14/2021.

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

**Hearing Date:** Pending

**DET-EQT2020-070 AU Medical Associates, Inc.** Request for Letter of Determination received on 9/30/2020, regarding the acquisition of a mobile 2005 GE 1.5T Signa Excite MRI.

**Agency Decision:** Denied on 12/28/2020

**Appealed:** AU Medical Associates, Inc. ("AUMA") filed Request for Administrative Appeal Hearing on 1/25/2021.

**Hearing Officer:** Pending

**Hearing Date:** Pending

## Appealed LNRs

### **LNR-ASC2017022 Georgia Arrhythmia Consultants and Research Institute, LLC**

Requested Letter of Non-Reviewability ("LNR") with regard to the establishment of an ambulatory surgery center ("ASC") in Macon, Bibb County.

**Agency Decision:** Request was denied 3/6/2018.

**Appealed:** Georgia Arrhythmia Consultants and Research Institute, LLC ("GACRI") filed a request for Administrative Appeal on 3/29/18.

**Hearing Officer:** William C. Joy, Esq.

**Hearing Date:** 10/29/2018 and 10/30/2018.

### **LNR-ASC2018022 Georgia Arrhythmia Consultants & Research Institute, LLC**

Single Specialty Cardiology Electrophysiology ASC

**Agency Decision:** Request was denied 11/14/2019.

**Appealed:** Georgia Arrhythmia Consultants and Research Institute, LLC (“GACRI”) filed a request for Administrative Appeal on 12/6/2019.

**Hearing Officer:** Dr. L. Lynn Hogue, J.D.

**Hearing Date:** 9/15-17/2020, 9:30 A.M. / Remote Video Conference

**Hearing Decision:** Department’s decision to deny GACRI’s LNR affirmed, 1/28/21.

**LNR-ASC2019009 Northside Hospital, Inc and Phys Owners of Gwinnett Surgery Center, LLC**

Requested Letter of Non-Reviewability (“LNR”) with regard to the establishment of a joint venture ambulatory surgery center (“JV ASC”) in Lawrenceville, Gwinnett County.

**Agency Decision:** Request was denied 10/7/19.

**Appealed:** Northside Hospital, Inc. (“Northside”) and Northside Gwinnett Surgical Associates, LLC (“NGSA”) filed a request for Administrative Appeal on 10/29/19. DCH filed Motion for Remand, 1/16/2020; Hearing Officer granted DCH’s remand motion, 1/28/2020. Remand decision denying request issued on 3/12/2020.

**Hearing Officer:** Dr. L. Lynn Hogue, J.D.

**Hearing Date:** Pending

## Appealed CON Projects

**2014-019 University Hospital (Columbia)**

**2014-029 GRHealth Columbia County (Columbia)**

**2014-030 Doctors Hospital of Augusta (Columbia)**

2014-019 Establish a New 100-Bed Short-Stay Acute Care Hospital

2014-029 Establish New 100-Bed Community Teaching Hospital

2014-030 Construction of New Short-Stay General Acute Care Hospital

**Agency Decision:** 2014-019 Denied, 11/26/14; 2014-029 Approved, 11/26/14; 2014-030 Denied, 11/26/14

**Appealed:** University McDuffie appeals 2014-029 approval, 12/22/2014; University Augusta appeals its own denial and appeals 2014-029 approval, 12/22/14. Doctors Hospital appeals approval of 2014-029, 12/23/2014.

**Hearing Officer:** Ellwood F. Oakley, III, Esq.

**Hearing Date:** 6/18/2015 – 6/30/2015, 9AM

**Hearing Decision:** Hearing Officer affirmed DCH decision, 9/24/2015. Doctors Hospital requests Commissioner’s review, 10/23/2015.

**Commissioner Review Decision:** Affirmed Hearing Officer’s decision, 11/23/15. Doctors Hospital of Augusta filed Petition for Judicial Review, 12/23/2015.

**Superior Court Decision:** Superior Court granted Department’s Motion to Dismiss Petition for Judicial Review, 4/13/2016.

**Court of Appeals:** Application for Discretionary Review filed on 5/13/2016. Application for Discretionary Review granted on 6/8/2016. Court of Appeals reverses ruling of Superior Court, 2/14/2018. Court of Appeals affirms the Superior Court’s decision upholding the Department’s decision, 4/30/2019. Doctors Hospital files Notice of Intention to Petition for Writ of Certiorari, requesting the Supreme Court review the April 30, 2019 Court of Appeals decision, 5/10/2019. Court of Appeals affirms the Superior Court’s decision upholding the Department’s decision, 8/20/2020.

**Supreme Court:** Petition for Writ of Certiorari granted, judgment of the Court of Appeals vacated, and case remanded for reconsideration, 12/23/19. Doctors Hospital files Petition for Writ of Certiorari, requesting the Supreme Court review the 8/20/2020 Court of Appeals decision, 9/9/2020.

**2016-019 Emory University Hospital Smyrna (Cobb)**

Renovation & Upgrade to Current Hospital Facilities

**Agency Decision:** Approved, 8/4/2016

**Appealed By:** Cobb Hospital, Inc. d/b/a WellStar Cobb Hospital (“WellStar Cobb”), 9/2/2016 and Kennestone Hospital, Inc. d/b/a WellStar Kennestone Hospital (“WellStar Kennestone”).

**Hearing Officer:** Ellwood F. Oakley, III, Esq.

**Hearing Date:** 3/27/2017

**Hearing Decision:** Hearing Officer affirmed the Department’s decision to award a CON to EUH-Smyrna, 7/5/17. WellStar Cobb and WellStar Kennestone filed for Commissioner Review, 8/2/2017.

**Commissioner Review Decision:** Affirmed Hearing Officer’s decision to award CON to EUH-Smyrna, 8/30/17. Wellstar Cobb and Wellstar Kennestone filed Petition for Judicial Review; 9/29/17.

**Superior Court Decision:** Superior Court denies WellStar’s Petition for Judicial Review, 2/13/2018.

**Court of Appeals:** WellStar Cobb and WellStar Kennestone filed an Application for Discretionary Appeal, 3/16/2018. Affirms the Superior Court’s judgment denying WellStar’s petition for judicial review, 3/13/2019

WellStar Cobb and WellStar Kennestone (collectively "WellStar") filed Notice of Intention to Petition for Writ of Certiorari, 3/25/2019. WellStar Cobb Hospital and WellStar Kennestone Hospital's Petition for Writ of Certiorari filed in the Georgia Supreme Court, 4/2/2019. On remand, Court of Appeals affirms the Superior Court's judgment denying Wellstar's petition for judicial review, 10/26/2020.

**Supreme Court:** Petition for Writ of Certiorari granted, judgment reversed in part, and case remanded with direction, 12/23/19.

**2018-008 Floyd Healthcare Management Inc dba Floyd Medical Center (Floyd)**

**2018-009 Tanner Medical Center Carrollton (Carroll)**

**2018-010 Hamilton Medical Center (Whitfield)**

Development of Adult Open Heart Surgery Service - Batching

**Agency Decision:** 2018-008 Denied, 6/25/2018; 2018-009 Denied, 6/25/2018; 2018-010 Denied, 6/25/2018

**Appealed By:** 2018-008 Applicant Floyd Healthcare Management, Inc. d/b/a Floyd Medical Center, 7/24/2018. Redmond Park Hospital, LLC d/b/a Redmond Regional Medical Center files request to intervene in Floyd's administrative appeal, 7/26/2018. 2018-009 Applicant Tanner Medical Center, Inc. d/b/a Tanner Medical Center-Carrollton, "TMC", 7/23/2018. WellStar Kennestone Hospital ("Kennestone") files request to Intervene, 7/20/2018. 2018-010; Applicant Hamilton Medical Center, 7/24/2018.

**Hearing Officer:** 2018-008, 2018-009 and 2018-010 – William C. Joy, Esq. Hearing Officer denied Redmond's request to intervene, 9/27/2018. Commissioner denies Redmond's appeal of Hearing Officer's denial to intervene due to limited review authority, 10/10/2018.

**Hearing Date:** 12/10,11,14/2018; 1/7-11/2019; 2/4-8/2019, 2/11-15/2019; 2/26/2019

**Hearing Decision:** Hearing Officer affirms Department's decision denying CON Applications for 2018-008 (Floyd Medical Center), 2018-009 (Tanner Medical Center), 2018-010 (Hamilton Medical Center), 8/16/2019. Floyd requests Commissioner review 9/13/2019. Hamilton requests Commissioner review 9/16/2019. Tanner requests Commissioner review 9/16/2019. Redmond files renewed appeal to Commissioner on the denial of its request to Intervene, 9/16/2019

**Commissioner Review Decision:** On 10/15/19, Commissioner affirmed Hearing Officer's 8/16/19 decision to deny a CON to Floyd; reversed Hearing Officer's 8/16/19 decision to deny a CON to Tanner; reversed Hearing Officer's 8/16/19 decision to deny a CON to Hamilton; denied Redmond Regional Medical Center's Renewed Appeal to Commissioner Berry on the Denial of Its Request to Intervene. Redmond Regional Medical Center filed petitions for judicial review of the Final Order of the Commissioner in project numbers 2018-008, 2018-009, and 2018-010, 11/14/19. Floyd Medical Center filed Petition for Judicial Review of DCH's Final Order denying a CON to Floyd Medical Center for project no. 2018-008, 11/14/19. Redmond Regional Medical Center files Renewed Appeal to Commissioner Berry on Order of Remand, 5/7/2020. In Final Order on Remand, Commissioner ordered that the August 16, 2019, decision of the Hearing Officer to deny a CON to Floyd Healthcare Management, Inc., d/b/a Floyd Medical Center to establish an Adult Open Heart Surgery program is affirmed, 6/30/2020.

**Superior Court of Fulton County:** Grants Hamilton's and the Department's motions to dismiss Redmond's petition for judicial review. Dismissed with prejudice, 3/9/2020. Grants Floyd Medical Center's motion to dismiss Redmond's petition for judicial review. Dismissed with prejudice. 3/9/2020. Grants Tanner's and the Department's motions to dismiss Redmond's petition for judicial review. Dismissed with prejudice, 3/9/2020.

**Superior Court of Floyd County:** On Floyd Medical Center's appeal of the denial of its CON, the court remanded the matter to the Department for complete review of Floyd Medical Center's application, 4/14/2020. Floyd Medical Center filed Petition for Judicial Review of DCH's Final Order on Remand, 7/30/2020. Superior Court of Floyd County denied Floyd Medical Center's Petition for Judicial Review, 10/29/2020. Floyd Medical Center filed Application for Discretionary Appeal in the Georgia Court of Appeals, 11/30/2020.

**Court of Appeals:** Denies Floyd Medical Center's Application for Discretionary Appeal, 12/30/2020. Floyd Medical Center files Petition for Writ of Certiorari with the Supreme Court of Georgia, 1/19/2021.

**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

2018073 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:** 12/11/2019, 9:30 A.M. / 41<sup>st</sup> Floor; Continued until further notice

**2019-037 Vision Imaging Center (Thomas)**

Development of a Freestanding Advanced Diagnostic Imaging Center or DTRC

**Agency Decision:** Approved, 2/25/2020

**Appealed By:** John D. Archbold Memorial Hospital ("Archbold"), 3/24/2020

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

**Hearing Date:** 9/1/2020, 9/2-4/2020, 10:00 A.M.; 9/18/2020, 9 A.M. / Remote Video Conference

**Hearing Decision:** Hearing Officer affirms Department's decision to grant Vision Imaging Center, LLC a CON, 12/28/2020. Archbold files for Commissioner Review, 1/26/2021.

**Commissioner Review Decision:** Pending

**2019-045 Cartersville Medical Center, LLC (Bartow)**

New Service to Include 4 Neonatal Intermediate Care Beds - Batching

**Agency Decision:** Denied, 3/24/2020

**Appealed By:** Cartersville Medical Center, LLC d/b/a Cartersville Medical Center ("CMC"), 3/26/2020. Floyd Healthcare Management, Inc. d/b/a Floyd Medical Center submitted request to intervene in the hearing, 4/21/2020.

**Hearing Officer:** William C. Joy, Esq.

**Hearing Date:** 9/29/2020-10/2/2020, 9:30 A.M. / Remote Video Conference

**Hearing Decision:** Hearing Officer affirms Department's decision to deny CMC a CON, 1/4/2021.

**2020-002 Doctors Hospital of Augusta, LLC (Columbia)**

Construction of Freestanding Emergency Department

**Agency Decision:** Approved, 6/1/2020

**Appealed By:** AU Medical Center, Inc. ("AUMC"), 6/22/2020; University Health Services, Inc. ("University"), 6/30/2020

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

**Hearing Date:** 3/8/2021, 9:00 A.M. / 5<sup>th</sup> Floor

**Hearing Decision:** Hearing Officer reverses the Department's decision to grant a CON to Doctors Hospital of Augusta, LLC, 12/8/2020. Doctors Hospital of Augusta, LLC d/b/a Doctors Hospital of Augusta ("Doctors") requests Commissioner Review, 12/21/2020. The Department requests Commissioner Review, 1/7/2021.

**2020-003 Coliseum Medical Centers (Houston)**

Construction of Freestanding Emergency Department

**Agency Decision:** Approved, 6/9/2020

**Appealed By:** The Medical Center of Central Georgia, Inc. d/b/a The Medical Center, Navicent Health ("The Medical Center"), 6/25/2020; The Medical Center of Peach County, Inc. d/b/a Medical Center of Peach County, Navicent Health ("Peach"), 6/25/2020; Houston Hospitals, Inc. d/b/a Houston Medical Center ("Houston"), 7/1/2020; Houston Hospitals, Inc. d/b/a Perry Hospital ("Perry Hospital"), 7/1/2020

**Hearing Officer:** William C. Joy, Esq.

**Hearing Date:** 11/9-10/2020, 11/12-13/2020, 9:30 A.M. / Remote Video Conference

**Hearing Decision:** Pending

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

**Hearing Date:** 1/19-22/2021, 1/25-28/2021, 9:30 A.M. / Remote Video Conference; Continued until further notice

**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.

**2020-014 University Cancer & Blood Center, LLC (Clarke)**

Add a PET/CT Unit to its Oncology Practice in Athens - Batching

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

**Appealed By:** Piedmont Athens Regional Medical Center, Inc. ("Piedmont Athens"), 7/14/2020. University Cancer & Blood Center ("UCBC") submitted request to intervene in the hearing, 7/16/2020.

**Hearing Officer:** William C. Joy, Esq.

**Hearing Date:** 2/9-10,12/2021, 9:30 A.M. / 5<sup>th</sup> Floor; 2/11/2021, 9:30 A.M. / 41<sup>st</sup> Floor

**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:** Pending

**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:** Opie D Bowen, Esq.

**Hearing Date:** 3/22-26/2021, 9:00 A.M. / Remote Video Conference

**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:** Brooke P. Newby, Esq.

**Hearing Date:** 4/12-16/2021, 9:00 A.M. / Remote Video Conference

**2020-025 United Imaging Center of Buckhead, LLC (Fulton)**

Proposed Freestanding Advanced Diagnostic Imaging Center in Fulton County

**Agency Decision:** Denied, 10/15/2020

**Appealed By:** United Imaging Centers of Buckhead, LLC d/b/a United Imaging Centers of Buckhead ("UIC Buckhead"), 11/10/2020. Pro Radiology, LLC ("Pro Radiology") filed Request to Intervene, 11/12/2020.

**Hearing Officer:** D. Wright Mcleod, Esq.

**Hearing Date:** Pending

**2020-026 United Imaging Center of Chamblee, LLC (Fulton)**

Proposed Freestanding Advanced Diagnostic Imaging Center in Cobb County

**Agency Decision:** Denied, 10/15/2020

**Appealed By:** United Imaging Centers of Chamblee, LLC d/b/a United Imaging Centers of Chamblee (“UIC Chamblee”), 11/10/2020. American Health Imaging of Georgia, LLC d/b/a American Health Imaging of Decatur (“AHI-Decatur”) filed Request to Intervene, 11/12/2020.

**Hearing Officer:** D. Wright Mcleod, Esq.

**Hearing Date:** Pending

**2020-027 United Imaging Center of Jonesboro, LLC (Clayton)**

Proposed Freestanding Advanced Diagnostic Imaging Center in Clayton County

**Agency Decision:** Denied, 10/16/2020

**Appealed By:** United Imaging Centers of Jonesboro, LLC d/b/a United Imaging Centers of Jonesboro (“UIC Jonesboro”), 11/10/2020. American Health Imaging of Georgia, LLC d/b/a American Health Imaging of Fayetteville (“AHI-Fayetteville”) filed Request to Intervene, 11/12/2020.

**Hearing Officer:** D. Wright Mcleod, Esq.

**Hearing Date:** Pending

**2020-028 United Imaging Center of Marietta (Cobb)**

Proposed Freestanding Advanced Diagnostic Imaging Center in Cobb County, SSSR-3

**Agency Decision:** Denied, 10/16/2020

**Appealed By:** United Imaging Centers of Marietta, LLC d/b/a United Imaging Centers of Marietta (“UIC Marietta”), 11/10/2020. American Health Imaging of Georgia, LLC d/b/a American Health Imaging of Marietta (“AHI-Marietta”) filed Request to Intervene, 11/12/2020.

**Hearing Officer:** D. Wright Mcleod, Esq.

**Hearing Date:** Pending

**2020-029 South Georgia Medical Center (Lowndes)**

Expand Hospital Bed Capacity by 45 beds

**Agency Decision:** Denied, 10/26/2020

**Appealed By:** Hospital Authority of Valdosta and Lowndes County Georgia d/b/a South Georgia Medical Center (“SGMC”), 11/24/2020.

**Hearing Officer:** Pending

**Hearing Date:** Pending

**2020-031 Vest Monroe, LLC (Walton)**

Additional 23 Adult Psychiatric/Substance Abuse Beds – Batching

**Agency Decision:** Approved, 12/18/2020

**Appealed By:** UHS of Anchor, L.P. d/b/a Southern Crescent Behavioral Health System (“Anchor”) and UHS of SummitRidge, LLC d/b/a SummitRidge Hospital (“SummitRidge”), 1/14/2021.

**Hearing Officer:** Pending

**Hearing Date:** Pending

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

**DET-EQT2020037 Macon Orthopaedic and Hand Center, PA**

Purchase Fixed MRI

**Request received:** 5/8/2020

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET-EQT2020077 Allegiance Imaging and Radiology, LLC**

Lease Fixed CT Scanner

**Request received:** 10/14/2020

**Challenge Received:** 10/19/2020

**Contact Person:** Everette B. Jenkins

**Determination:** Pending

**Opposition:** American Health Imaging of Georgia, LLC- 10/19/2020

**DET-EQT2020081 Grady Health System**

Purchase Fixed MRI

**Request received:** 10/20/2020

**Contact Person:** Mike McCarthy  
**Determination:** Non-reviewable as proposed    **Determination Date:** 1/8/2021

**DET-EQT2020085 Columbus Ambulatory Healthcare Services d/b/a Columbus Regional**  
Purchase Fixed CT Scanner  
**Request received:** 10/30/2020  
**Contact Person:** Allen Holladay  
**Determination:** Pending

**DET-EQT2020087 Wellstar North Fulton Hospital, Inc. d/b/a Wellstar North Fulton Hospital**  
Lease Mobile MRI  
**Request received:** 11/4/2020  
**Contact Person:** April Austin  
**Determination:** Non-reviewable as proposed    **Determination Date:** 1/4/2021

**DET-EQT2020088 Piedmont Newton Hospital Inc**  
Purchase Fixed CT Scanner  
**Request received:** 11/4/2020  
**Contact Person:** Christine MacEwen  
**Determination:** Non-reviewable as proposed    **Determination Date:** 1/4/2021

**DET-EQT2020090 First Look MRI Alpharetta, LLC**  
Lease Fixed MRI  
**Request received:** 11/5/2020  
**Contact Person:** Brian Gay, MD  
**Determination:** Non-reviewable as proposed    **Determination Date:** 1/4/2021

**DET-EQT2020091 Georgia Bone and Joint, LLC**  
Purchase Fixed MRI  
**Request received:** 11/17/2020  
**Contact Person:** David LaGuardia  
**Determination:** Non-reviewable as proposed    **Determination Date:** 1/15/2021

**DET-EQT2020092 Medical Center, Navicent Health**  
Purchase Fixed CT Scanner  
**Request received:** 11/19/2020  
**Contact Person:** H. Bryan Forlines  
**Determination:** Pending

**DET-EQT2020093 Ortho Sport and Spine Physicians**  
Purchase Fixed MRI  
**Request received:** 11/23/2020  
**Contact Person:** Sean Bajnath  
**Determination:** Pending

**DET-EQT2020094 Piedmont Hospital, Inc. d/b/a Piedmont Atlanta Hospital**  
Purchase IR Biplane System  
**Request received:** 12/7/2020  
**Contact Person:** Christine MacEwen  
**Determination:** Pending

**DET-EQT2020095 St, Francis Health, LLC**  
Lease Surgical Robot Arm  
**Request received:** 12/11/2020  
**Contact Person:** Alan George  
**Determination:** Non-reviewable as proposed    **Determination Date:** 1/14/2021

**DET-EQT2020096 Apex Health and Pain LLD dba OrthoPooler**  
Lease Fixed MRI  
**Request received:** 12/11/2020  
**Contact Person:** Mike Lofton  
**Determination:** Pending

**DET-EQT2020097 Emory University d/b/a Emory University Orthopaedics & Spine Hospital**

Purchase Fixed MRI

**Request received:** 12/22/2020

**Contact Person:** Matt Wain

**Determination:** Pending

**DET-EQT2020098 Hospital Authority of Candler County d/b/a Candler County Hospital**

Lease Fixed MRI

**Request received:** 12/23/2020

**Contact Person:** Michael Purvis

**Determination:** Pending

**DET-EQT2020099 South Atlanta Radiology Associates**

Acquire Fixed CT Scanner

**Request received:** 12/28/2020

**Contact Person:** Amanda Daniel

**Determination:** Pending

**DET-EQT2021001 Fayette Community Hospital, Inc. d/b/a Piedmont Fayette Hospital**

Purchase Robotic Arm System

**Request received:** 1/20/2021

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET-EQT2021002 Emory University d/b/a Emory University Hospital**

Purchase Fixed MRI

**Request received:** 1/21/2021

**Contact Person:** Michael Barber

**Determination:** Pending

**DET-EQT2021003 Vidalia Health Services, LLC**

Purchase Fixed MRI

**Request received:** 1/25/2021

**Contact Person:** Joseph R. Ross

**Determination:** Pending

**DET-EQT2021004 Grady Health System**

Purchase Interventional Radiology Equipment

**Request received:** 1/28/2021

**Contact Person:** Mike McCarthy

**Determination:** Pending

**DET-EQT2021005 The Medical Center Inc., d/b/a Piedmont Columbus Regional Midtown**

Purchase Fixed CT Scanner

**Request received:** 2/1/2021

**Contact Person:** Christine MacEwen

**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-ASC2020001 Georgia Surgical Center on Peachtree, LLC**

Joint Venture, Single Specialty ASC

**Site:** 2061 Peachtree Road, Suite 100 Atlanta, GA 30309

**Number of ORs:** 2      **Specialty:** Orthopedics

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

**Request received:** 11/10/2020

**Contact Person:** Brynne Goncher

**Determination:** Approved

**Determination Date:** 1/8/2021

**DET-ASC2020002 Hughston Surgical Center of Valdosta, LLC**

Physician-Owned, Single Specialty ASC  
**Site:** 4340 Kings Way, Valdosta, GA 31602  
**Number of ORs:** 2      **Specialty:** Orthopedics  
**Project costs as submitted:** \$4,238,556.47  
**Request received:** 11/11/2020  
**Contact Person:** Victor Moldovan 404-898-8120  
**Determination:** Pending

**DET-ASC2020003 Alliance Surgery Center at Peachtree City, LLC**  
Physician-Owned, Single Specialty ASC  
**Site:** 1975 Highway 54 W, Suite 105 Peachtree City, GA 30269  
**Number of ORs:** 1      **Specialty:** Pain Medicine  
**Project costs as submitted:** \$462,759.00  
**Request received:** 11/16/2020  
**Contact Person:** Victoria Beck 770-929-9033  
**Determination:** Approved      **Determination Date:** 1/14/2021

**DET-ASC2020006 Southeast Eye Laser Surgery Center LLC**  
Physician-Owned, Single Specialty ASC  
**Site:** 3215 Shrine Road, Suite 8, Brunswick, Georgia 31520  
**Number of ORs:** 3      **Specialty:** Ophthalmology  
**Project costs as submitted:** \$1,733,743.00  
**Request received:** 12/15/2020  
**Contact Person:** Neil Hoffman 404-873-8594  
**Determination:** Pending

**DET-ASC2021001 Medici Medical Arts, LLC**  
Physician-Owned, Single Specialty ASC  
**Site:** 792 Church Street, Marietta, Georgia 30060  
**Number of ORs:** 1      **Specialty:** Orthopedic Surgery  
**Project costs as submitted:** \$611,650.00  
**Request received:** 1/6/2021  
**Contact Person:** Everette B. Jenkins  
**Determination:** Pending

**DET-ASC2021002 Medici Medical Arts, LLC**  
Physician-Owned, Single Specialty ASC  
**Site:** 2220 Wisteria Drive, Snellville, Georgia 30078  
**Number of ORs:** 2      **Specialty:** Orthopedic Surgery  
**Project costs as submitted:** \$0.00  
**Request received:** 1/6/2021  
**Contact Person:** Everette B. Jenkins 678-625-4720  
**Determination:** Pending

**DET-ASC2021003 Hamilton Orthopedic Surgery Center, LLC**  
Joint Venture, Single Specialty ASC  
**Site:** 1104 Professional Boulevard, Dalton, Georgia 30720  
**Number of ORs:** 3      **Specialty:** Orthopedic Surgery  
**Project costs as submitted:** \$6,366,211.00  
**Request received:** 1/7/2021  
**Contact Person:** Jason E. Bring 404-873-8162  
**Determination:** Pending

**DET-ASC2021004 Southern Pain and Spine Associates, LLC**  
Physician-Owned, Single Specialty ASC  
**Site:** 601 Broad Street SE, Suite E, Gainesville, GA 30501  
**Number of ORs:** 1      **Specialty:** Pain Management  
**Project costs as submitted:** \$0.00  
**Request received:** 1/21/2021  
**Contact Person:** Gayle Evans  
**Determination:** Pending

## Requests for Miscellaneous Letters of Determination

### **DET2020191 Grady Health System**

Replacement of Interventional Radiology Equipment

**Request received:** 9/23/2020

**Contact Person:** Mike McCarthy

**Determination:** Pending

### **DET2020201 Hospital Authority of Colquitt County d/b/a Colquitt Regional Medical Center**

Upgrade Nine Rooms on Second Floor and Nursing Station

**Request received:** 10/15/2020

**Contact Person:** William Bishop

**Determination:** Non-reviewable as proposed     **Determination Date:** 1/7/2021

### **DET2020207 Piedmont Hospital Inc. d/b/a Piedmont Atlanta Hospital**

Replacement of CON Authorized PET/CT Scanner

**Request received:** 10/30/2020

**Contact Person:** Randy Sprinkle

**Determination:** Pending

### **DET2020209 The Medical Center of Central Georgia, Inc. d/b/a The Medical Center, Navicent**

Below Cost Threshold Upgrade of Existing OR to Hybrid OR

**Request received:** 11/4/2020

**Contact Person:** Samantha Cordle

**Determination:** Non-reviewable as proposed     **Determination Date:** 1/4/2021

### **DET2020211 Savannah Health Services, LLC d/b/a Memorial Health University Medical Center**

10% Bed Capacity Increase Exemption

**Request received:** 11/13/2020

**Contact Person:** Matthew S. Hasbrouck

**Determination:** Non-reviewable as proposed     **Determination Date:** 1/11/2021

### **DET2020212 Savannah Health Services, LLC d/b/a Memorial Health University Medical Center**

Below Threshold Expenditure - Outpatient Services, Building 100

**Request received:** 11/13/2020

**Contact Person:** Matthew S. Hasbrouck

**Determination:** Non-reviewable as proposed     **Determination Date:** 1/11/2021

### **DET2020213 Savannah Health Services, LLC d/b/a Memorial Health University Medical Center**

Below Threshold Expenditure - Day Surgery Pre-Op

**Request received:** 11/13/2020

**Contact Person:** Matthew S. Hasbrouck

**Determination:** Non-reviewable as proposed     **Determination Date:** 1/11/2021

### **DET2020214 Savannah Health Services, LLC d/b/a Memorial Health University Medical Center**

Below Threshold Expenditure - Orthopedics Inpatient

**Request received:** 11/13/2020

**Contact Person:** Matthew S. Hasbrouck

**Determination:** Non-reviewable as proposed     **Determination Date:** 1/11/2021

### **DET2020215 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett**

Replacement of Cardiac Cath Lab Equipment

**Request received:** 11/19/2020

**Contact Person:** Brian Toporek

**Determination:** Non-reviewable as proposed     **Determination Date:** 1/19/2021

### **DET2020216 Screven County Hospital, LLC d/b/a Optim Medical Center-Screven**

Renovation of Emergency Department

**Request received:** 11/20/2020

**Contact Person:** Joseph R. Ross

**Determination:** Non-reviewable as proposed     **Determination Date:** 1/19/2021

**DET2020217 Doctors Hospital of Augusta, LLC d/b/a Doctors Hospital of Augusta**

Replacement of CON-Approved Varian Trilogy Radiation Therapy System

**Request received:** 11/23/2020

**Contact Person:** Elizabeth Lamb

**Determination:** Non-reviewable as proposed      **Determination Date:** 1/21/2021

**DET2020218 Effingham Hospital, Inc.**

Oncology Renovation

**Request received:** 11/24/2020

**Contact Person:** Michele Madison

**Determination:** Non-reviewable as proposed      **Determination Date:** 1/22/2021

**DET2020219 Effingham Hospital, Inc.**

Medical Office Building Pediatric

**Request received:** 11/24/2020

**Contact Person:** Michele Madison

**Determination:** Non-reviewable as proposed      **Determination Date:** 1/22/2021

**DET2020220 Effingham Hospital, Inc.**

HVAC Upgrade

**Request received:** 11/25/2020

**Contact Person:** Michele Madison

**Determination:** Non-reviewable as proposed      **Determination Date:** 1/22/2021

**DET2020221 Emory University d/b/a Emory University Orthopaedic and Spine Hospital**

Replacement of CON-Approved MRI

**Request received:** 11/27/2020

**Contact Person:** Greg Pennington

**Determination:** Non-reviewable as proposed      **Determination Date:** 1/25/2021

**DET2020223 Alliance Surgery Center at Augusta, LLC**

Expansion of ASC

**Request received:** 12/1/2020

**Contact Person:** Wendy Montembeau

**Determination:** Non-reviewable as proposed      **Determination Date:** 1/29/2021

**DET2020224 Paulding Medical Center d/b/a Wellstar Paulding Hospital**

Cardiac Catheterization Lab Upgrades

**Request received:** 12/1/2020

**Contact Person:** April Austin 470-644-0057

**Determination:** Non-reviewable as proposed      **Determination Date:** 1/29/2021

**DET2020225 Piedmont Henry Hospital, Inc.**

Inpatient Room Renovations (4th Floor)

**Request received:** 12/3/2020

**Contact Person:** Christine MacEwen

**Determination:** Non-reviewable as proposed      **Determination Date:** 2/1/2021

**DET2020226 Piedmont Hospital Inc. d/b/a Piedmont Atlanta Hospital**

OR Expansion

**Request received:** 12/7/2020

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET2020227 Piedmont Henry Hospital, Inc.**

Minor ED Renovation

**Request received:** 12/7/2020

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET2020228 Effingham Hospital, Inc.**

Land Acquisition

**Request received:** 12/8/2020

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

**DET2020230 Northside Hospital Inc. d/b/a Northside Hospital Gwinnett**  
Request to Replace MRI  
**Request received:** 12/18/2020  
**Contact Person:** Jeffrey Stofko  
**Determination:** Pending

**DET2020231 Egleston Children's Hospital at Emory University, Inc.**  
Replacement of Two CON-Approved Cardiac Catheterization Lab Units  
**Request received:** 12/23/2020  
**Contact Person:** David Fenstermacher  
**Determination:** Pending

**DET2020232 Northside Hospital, Inc. d/b/a Northside Hospital Cherokee**  
Addition of Adult Diagnostic Cardiac Cath Lab and Equipment  
**Request received:** 12/24/2020  
**Contact Person:** Brian Toporek  
**Determination:** Pending

**DET2020233 Eastside Medical Center, LLC d/b/a Eastside Medical Center**  
Reallocation of Medical/Surgical Beds to Comprehensive Physical Rehabilitation Beds  
**Request received:** 12/30/2020  
**Contact Person:** Persaud Rudolph  
**Determination:** Pending

**DET2020234 Southern Gastroenterology Associates, LLC**  
Convert LNR to DET  
**Request received:** 12/2/2020  
**Contact Person:** Victor Moldovan  
**Determination:** Pending

**DET2020235 Gastro South, LLC**  
Establishment of Endoscopy Center  
**Request received:** 12/8/2020  
**Contact Person:** Victor Moldovan  
**Determination:** Pending

**DET2021002 Floyd Healthcare Management, Inc., d/b/a Floyd Medical Center**  
Surgery Department Renovations to Support Trauma Service  
**Request received:** 1/16/2021  
**Contact Person:** Drew Dempsey  
**Determination:** Pending

**DET2021003 Floyd Healthcare Management Inc., d/b/a Floyd Medical Center**  
Renovations to Third Floor Hospital Space  
**Request received:** 1/16/2021  
**Contact Person:** Drew Dempsey  
**Determination:** Pending

**DET2021004 Piedmont Athens Regional Medical Center, Inc.**  
Replace CON Approved Interventional Radiology Lab Equipment  
**Request received:** 1/19/2021  
**Contact Person:** Christine MacEwen  
**Determination:** Pending

**DET2021005 Emory University d/b/a Emory University Hospital Midtown**  
Upgrade and Replace Cardiac Cath Lab  
**Request received:** 1/21/2021  
**Contact Person:** Daniel Owens  
**Determination:** Pending



**DET2021006 Emory University d/b/a Emory University Hospital Midtown**

Upgrade and Replace EP Lab

**Request received:** 1/21/2021

**Contact Person:** Daniel Owens

**Determination:** Pending

**DET2021007 Fairview Park, Limited Partnership dba Fairview Park Hospital**

Acquisition of Endoscopy Center

**Request received:** 1/25/2021

**Contact Person:** Joseph R. Ross

**Determination:** Pending

**DET2021008 Vidalia Health Services, LLC**

Acquisition of Hospital

**Request received:** 1/25/2021

**Contact Person:** Joseph R. Ross

**Determination:** Pending

**DET2021009 Cartersville Medical Center, LLC**

Add a Second Cardiac Catheterization Laboratory

**Request received:** 1/26/2021

**Contact Person:** Lori Rakes

**Determination:** Pending

**DET2021010 Cartersville Medical Center, LLC**

Hospital Renovation Including Cardiology, Pharmacy, and Materials Management

**Request received:** 1/26/2021

**Contact Person:** Lori Rakes

**Determination:** Pending

**DET2021011 St. Mary's Hospital**

Below Threshold Expenditures for Training Room

**Request received:** 1/27/2021

**Contact Person:** Janice Dunn

**Determination:** Pending

**DET2021012 The Recovery Village Georgia, LLC**

Establishment of Residential Substance Abuse Treatment Center

**Request received:** 1/27/2021

**Contact Person:** Josh Belinfante

**Determination:** Pending

**DET2021013 Grady Health System**

Equipment Relocation

**Request received:** 1/28/2021

**Contact Person:** Mike McCarthy

**Determination:** Pending

## Requests for Extended Implementation/Effective Period

**2019028 Dodge County Hospital Authority**

10-Bed Expansion of Geriatric Psych Unit – Batching

Request to Extend Performance Period

**Site:** 901 Griffin Ave, Eastman (Dodge)

**Project Approved:** 12/20/2019

**Request Received:** 11/3/2020

**Contact:** Jan Hamrick CFO (478-448-4050)

**Approved Cost:** \$ 1,900,420

**Determination:** Approved, 1/6/2021

**Extended Mandatory Completion:** January 1, 2022

**2010047 Eastside Medical Center**

Renovation and Expansion of Main Hospital Facility

Request to Extend Completion Date  
**Site:** 1700 Medical Way, Snellville (Gwinnett)  
**Project Approved:** 3/4/2011  
**Request Received:** 11/24/2020  
**Contact:** Trent Lind CEO (770-979-0200)  
**Approved Cost:** \$ 75,336,587  
**Determination:** Approved, 1/21/2021

**Extended Mandatory Completion:** December 31, 2021

**2019018 Dekalb Medical Center, Inc d/b/a Emory Decatur Hospital**

Renovation of 3rd Floor  
Request to Extend Completion Date  
**Site:** 2701 North Decatur Road, Decatur (DeKalb)  
**Project Approved:** 9/3/2019  
**Request Received:** 11/30/2020  
**Contact:** Jennifer Schuck, VPO (404-501-4622)  
**Approved Cost:** \$ 5,232,402  
**Determination:** Approved, 1/8/2021

**Extended Mandatory Completion:** December 31, 2021

**2019034 American Health Imaging of GA, LLC dba American Health Imaging of Marietta**

Add Second MRI Unit to Existing DTRC in Marietta  
Request to Extend Performance Period  
**Site:** 796 Church Street Suite 100, Marietta (Cobb)  
**Project Approved:** 2/14/2020  
**Request Received:** 1/4/2021  
**Contact:** Dan Balentine, President (404-297-5202)  
**Approved Cost:** \$ 1,225,000  
**Determination:** Pending

**2019036 Emory University Hospital**

Hospital Renovation to Relocate and Expand Heart and Vascular Department  
Request to Extend Performance Period  
**Site:** 1364 Clifton Road, Atlanta (DeKalb)  
**Project Approved:** 2/7/2020  
**Request Received:** 1/6/2021  
**Contact:** Catherine A. Maloney, FACHE VP, Operations (404-712-5529)  
**Approved Cost:** \$ 14,048,175  
**Determination:** Pending

**2017043 Southeast Georgia Health System, Inc.**

Renovation and Expansion to Brunswick Campus  
Request to Extend Completion Date  
**Site:** 2415 Parkwood Drive, Brunswick (Glynn)  
**Project Approved:** 11/17/2017  
**Request Received:** 1/8/2021  
**Contact:** Tripp Stephens, Vice President (912-466-7055)  
**Approved Cost:** \$123,474,000  
**Determination:** Pending

**2018001 Floyd Healthcare Properties, Inc.; PruittHealth-Rome**

Renovation and Expansion to Add over 22,000 Square Feet of Space to the Existing Structure  
Request to Extend Completion Date  
**Site:** 2 Three Mile Road, Rome (Floyd)  
**Project Approved:** 6/1/2018  
**Request Received:** 1/25/2021  
**Contact:** Aneel Gill, Exec. Dir (678-533-6699)  
**Approved Cost:** \$8,648,027  
**Determination:** Pending

**2015032 Piedmont Hospital, Inc.**

Develop a New Non-Special Purpose MRT Service – Batching  
Request to Extend Implementation Date  
**Site:** 3525 Busbee Drive, NW, Kennesaw (Cobb)  
**Project Approved:** 1/28/2019  
**Request Received:** 1/27/2021

**Contact:** Christine MacEwen, Exec Dir, Corporate Dev (404-931-1483)

**Approved Cost:** \$9,350,363

**Determination:** Pending

## Need Projection Analyses Posted **12/18/2020**

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

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

2025 Non-Special MRT Need Projection – Posted 12/18/2020

2025 PET Need Projection – Posted 12/18/2020

2025 Ambulatory Surgical Services Need Projection by HPA– Posted 9/18/2020

2025 Inpatient Physical Rehabilitation Need Projections – Posted 9/18/2020

2025 Neonatal Intermediate Care Bed Need Projection – Posted 9/18/2020

2025 Neonatal Intensive Care Bed Need Projection – Posted 9/18/2020

2025 Obstetric Services Bed Need Projection – Posted 9/18/2020

2023 Nursing Home Bed Need Projection – Posted 9/18/2020

2023 Home Health Agency Services Need Projection - Posted 9/18/2020

#### Non-Batched Need Projections

2024 Long Term Care Hospital Beds - 9/23/2020

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 [www.georgiahealthdata.info](http://www.georgiahealthdata.info).

## Indigent and Charity Care Shortfalls

### Facilities with Indigent and Charity Care Commitment Shortfalls for Most Recent 3 Years (Commitment status as of (2/2/2021))

Facility Name	County	Year	Shortfall Due	Service
ELO Outpatient Surgery Center	Bibb	2015	1,039.66	Ambulatory Surgery Center
GA Urology, PA Cobb Ambulatory Surgery Center	COBB	2014	14,433.70	Ambulatory Surgery Center
Georgia Pain Spine Center, LLC	COBB	2015	24,472.48	Ambulatory Surgery Center
Interventional Spine and Pain Management Ambulatory Surgical Center	Rockdale	2013	70,825.83	Ambulatory Surgery Center
Rome Endoscopy Ctr Inc, The	FLOYD	2014	92,083.32	Ambulatory Surgery Center
Rome Endoscopy Ctr Inc, The	FLOYD	2015	88,222.50	Ambulatory Surgery Center
Schulze Surgery Center, Inc.	Chatham	2013	4,838.07	Ambulatory Surgery Center
Schulze Surgery Center, Inc.	Chatham	2015	18,304.24	Ambulatory Surgery Center

Stephen Lober Plastic Surgery	CLARKE	2014	4,439.76	Ambulatory Surgery Center
Island Health Care	Chatham	2014	20,912.29	Home Health Agency
Island Health Care	Chatham	2015	46,002.33	Home Health Agency
Staff Builders Home Health	Gwinnett	2015	39,203.62	Home Health Agency
Suncrest Home Health	Fulton	2014	18,318.91	Home Health Agency
Suncrest Home Health	Fulton	2015	17,068.27	Home Health Agency

Notes: The provisions of the Provider Payment Act of 2010 exempt eligible hospitals from being required to pay shortfalls associated with CON indigent and charity care commitments while the Act is in force. Critical Access Hospitals, Psychiatric Hospitals, and State-owned hospitals are exempt from the PPA so must still pay shortfalls associated with CON commitments.

# **CERTIFICATE OF NEED FILING REQUIREMENTS**

## **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 original application document as well as the copies, must be separated by **lettered tabs** upon submission with 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 services and the Batching Cycles 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 12/18/2020 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, facilities, or expenditures for which there is no specified batching cycle, or other applicable rule, may be filed at any time.

[Positron Emission Tomography](#)

[Mega Voltage Radiation Therapy](#)

[Pediatric Cath/Open Heart](#)

[Psych/Substance Abuse](#)

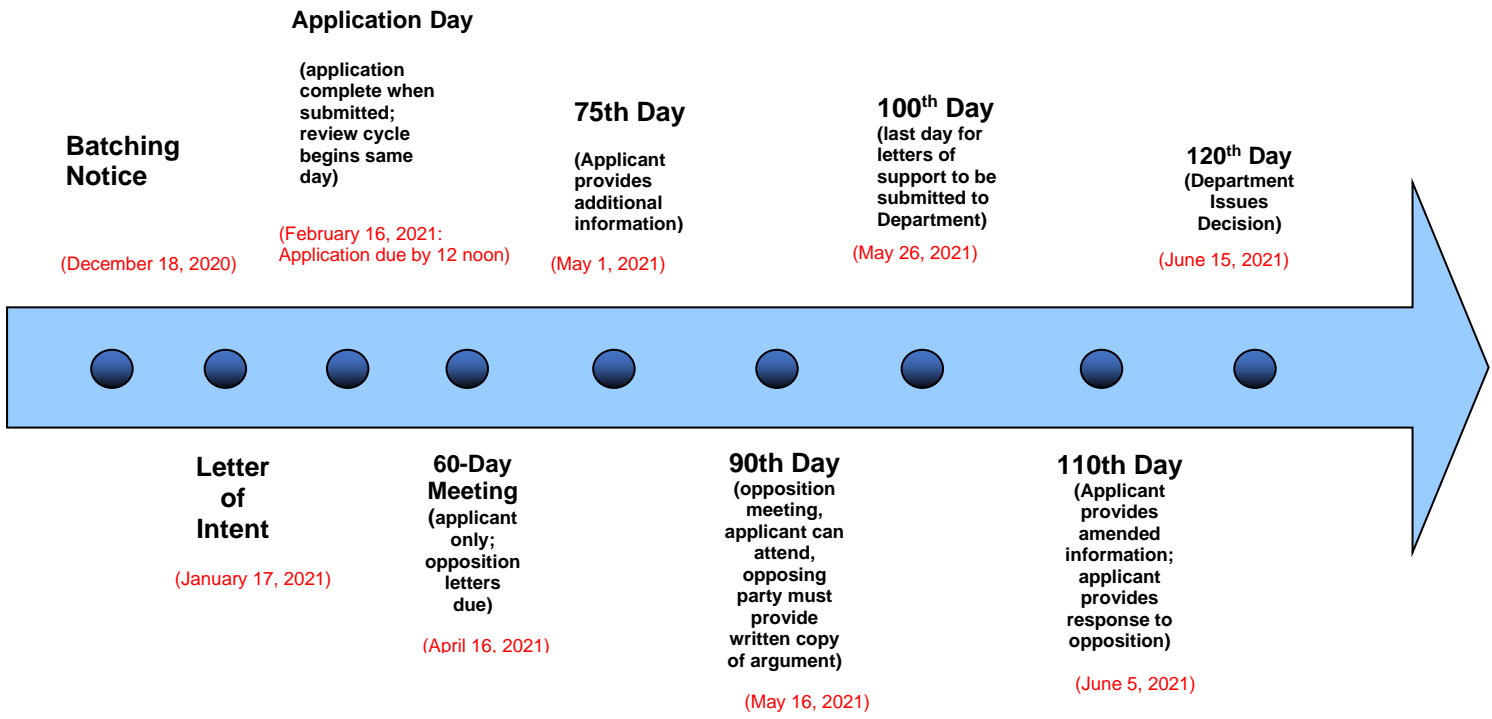
[Birthing Centers](#)

[Adult Open Heart](#)

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

# BATCHED APPLICATIONS: SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES

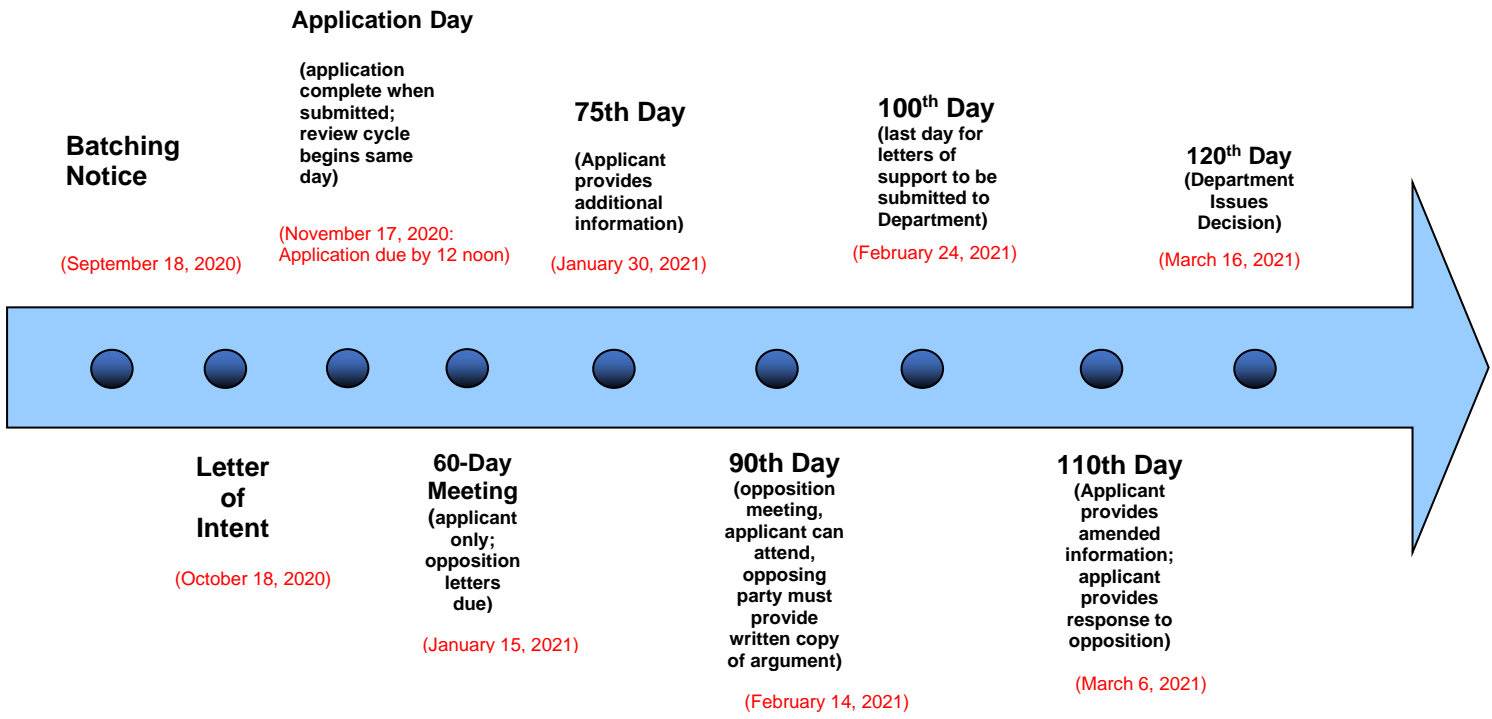
## WINTER CYCLE



- ▶ **Batching Notice issued 30 days before Letter of Intent Due**
- ▶ **Letter of Intent received by Department 30 days before application is submitted**
- ▶ **Applications submitted; deemed complete; review cycle begins**
- ▶ **60-Day meeting (applicant only); deadline for receipt of opposition letter(s)**
- ▶ **75th day – applicant provides additional information**
- ▶ **90th day – Opposition Meeting(s) scheduled; applicant can be in attendance; opposing parties must provide written statement of opposition arguments presented (original and one copy to the Department and one copy to the applicant); presentation time will be limited; Department reserves right to make additional inquiries subsequent to 60-day meeting and following opposition meeting.**
- ▶ **100th day Last day for letters of support to be submitted to the Department**
- ▶ **110th day Applicant deadline for submitting amended information; applicant deadline for providing written response to opposition due to Department; applicant deadline for providing written response to Department’s inquiries subsequent to opposition meeting**
- ▶ **120th day Decision issued (No discretion to extend)**

# BATCHED APPLICATIONS: SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES

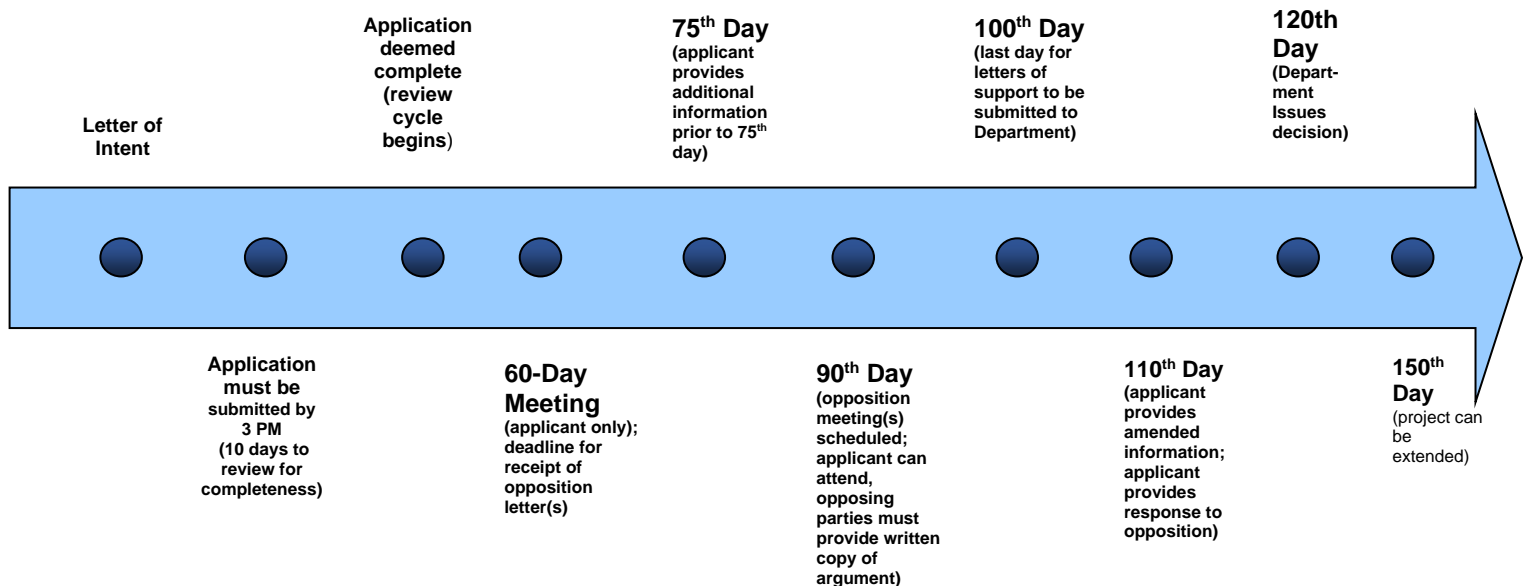
## FALL CYCLE



- ▶ Batching Notice issued 30 days before Letter of Intent Due
- ▶ Letter of Intent received by Department 30 days before application is submitted
- ▶ Applications submitted; deemed complete; review cycle begins
- ▶ 60-Day meeting (applicant only); deadline for receipt of opposition letter(s)
- ▶ 75<sup>th</sup> day – applicant provides additional information
- ▶ 90<sup>th</sup> day – Opposition Meeting(s) scheduled; applicant can be in attendance; opposing parties must provide written statement of opposition arguments presented (original and one copy to the Department and one copy to the applicant); presentation time will be limited; Department reserves right to make additional inquiries subsequent to 60-day meeting and following opposition meeting.
- ▶ 100<sup>th</sup> day Last day for letters of support to be submitted to the Department
- ▶ 110<sup>th</sup> day Applicant deadline for submitting amended information; applicant deadline for providing written response to opposition due to Department; applicant deadline for providing written response to Department’s inquiries subsequent to opposition meeting
- ▶ 120<sup>th</sup> day Decision issued (No discretion to extend)



## NON-BATCHED APPLICATIONS: SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES



- ▶ Letter of Intent received by Department 30 days before application is submitted
- ▶ Application submitted (10 working days to review for completeness). Applications submitted after 3:00 PM will be considered received on the next business day.
- ▶ Application deemed complete; 120-day review cycle begins
- ▶ 60-day meeting (applicant only); deadline for receipt of opposition letter(s)
- ▶ 75<sup>th</sup> day - applicant provides additional information prior to 75<sup>th</sup> day
- ▶ 90<sup>th</sup> day – Opposition Meeting(s) scheduled; applicant can be in attendance; opposing parties must provide written statement of opposition arguments presented (original and one copy to the Department and one copy to the applicant); presentation time will be limited; Department reserves right to make additional inquiries subsequent to 60-day meeting and following opposition meeting.
- ▶ 100<sup>th</sup> day Last day for letters of support to be submitted to the Department
- ▶ 110<sup>th</sup> day Applicant deadline for submitting amended information; applicant deadline for providing written response to opposition; applicant deadline for providing written response to Department’s inquiries subsequent to opposition meeting
- ▶ 120<sup>th</sup> day Decision issued (Department has discretion to extend to 150<sup>th</sup> day)

## Office of Health Planning Contact Information

Stacey Hillock, Esq., Executive Director, Office of Health Planning,  
Georgia Department of Community Health, 2 Peachtree St., N.W., 5th Floor, Atlanta, GA 30303,  
([sthillock@dch.ga.gov](mailto:sthillock@dch.ga.gov))

For questions concerning pending Certificate of Need applications please contact Bruce  
Henderson, Senior Reviewer  
([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))

## Letters of Determination

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 shall continue to be submitted using the Request for Letter of Non-Reviewability Form until further notice 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.gov](mailto:steve.cappel@dch.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:

<http://dch.georgia.gov/health-planning-publications-and-data-resources>

The ORR Form found there can 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

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.

### **CERTIFICATE OF NEED APPEAL PANEL**

Sworn by Governor Sonny Perdue on August 20, 2008

Melvin M. Goldstein  
[goldatty@bellsouth.net](mailto:goldatty@bellsouth.net)

William "Bill" C. Joy (Vice Chair)  
[wcjoy@bellsouth.net](mailto:wcjoy@bellsouth.net)

**IMPORTANT NOTICE RELATED TO COVID-19 OUTBREAK**

Effective immediately (March 30, 2020), all *Office of Health Planning* applications and requests must be submitted electronically through our website. 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 Peachtree Street, N.W., 5<sup>th</sup> Floor  
Atlanta, GA 30303**

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

Thank you for your cooperation as we do our part by practicing social distancing during this public health state of emergency.

**IMPORTANT NOTICE RELATED TO EXECUTIVE ORDER NO. 03.20.20.02**

If you have a request to suspend a provision of O.C.G.A. § 31-6-40 pursuant to State of Georgia Executive Order 03.20.20.02, REDUCING REGULATIONS TO ASSIST THE STATE'S RESPONSE TO THE SPREAD OF COVID-19, please complete this from: <https://dch.georgia.gov/divisionsoffices/office-health-planning/covid-19-code-section-31-6-40-suspension-request-form>