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# Office of Health Planning



GEORGIA DEPARTMENT  
OF COMMUNITY HEALTH

## ***CERTIFICATE OF NEED***

# Tracking And Appeals Report

***August 26, 2020 – September 1, 2020***

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

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<https://forms.dch.georgia.gov/HFRD/>

**IMPORTANT NOTICES**

## Letters of Intent

none

## Letters of Intent – Batching

none

## Expired Letters of Intent

### **LOI2020027 Riverwoods Behavioral Health**

Additional 10 Beds in the Psychiatric/Substance Abuse Hospital - Batching

**Received: 7/22/2020                      Application must be submitted on: 8/21/2020**

**Site:** 223 Medical Center Drive, Riverdale, GA 30274 (Clayton County)

**Estimated Cost:** \$50,000

### **LOI2020028 Education System Management, Inc**

Seeking PRTF Designation with a Substance Abuse Specialty for Adolescents - Batching

**Received: 7/22/2020                      Application must be submitted on: 8/21/2020**

**Site:** 125 High 138 SE, Riverdale, GA 30274 (Clayton County)

**Estimated Cost:** \$0

## Withdrawn CON Applications

none

## New CON Applications

none

## Pending Review/Incomplete Applications

none

## Pending Review/Complete Applications

### **2020-025 United Imaging Center of Buckhead, LLC**

**OPPOSITION FILED**

Proposed Freestanding Advanced Diagnostic Imaging Center in Fulton County

**Filed: 5/21/2020 Deemed Incomplete: 6/4/2020 Deemed Complete: 6/18/2020**

**60th Day Deadline: 8/16/2020**

**Decision Deadline: 10/15/2020**

**Site:** 2045 Peachtree Road NE Suite T-3, Atlanta, GA (Fulton County)

**Contact:** Kenneth Basille, Managing Member 678-217-7700

**Estimated Cost:** \$126,000

### **2020-026 United Imaging Center of Chamblee, LLC**

**OPPOSITION FILED**

Proposed Freestanding Advanced Diagnostic Imaging Center in Cobb County

**Filed: 5/21/2020 Deemed Incomplete: 6/4/2020 Deemed Complete: 6/18/2020**

**60th Day Deadline: 8/16/2020**

**Decision Deadline: 10/15/2020**

**Site:** 3166 Chestnut Connector Drive, Suite 110, Atlanta, GA 30340 (Fulton County)

**Contact:** Ken Basille Managing Member 770-329-2000

**Estimated Cost:** \$497,800

### **2020-027 United Imaging Center of Jonesboro, LLC**

**OPPOSITION FILED**

Proposed Freestanding Advanced Diagnostic Imaging Center in Clayton County

**Filed: 5/21/2020 Deemed Incomplete: 6/4/2020 Deemed Complete: 6/19/2020**

**60th Day Deadline: 8/17/2020**

**Decision Deadline: 10/16/2020**

**Site:** 750 Mount Zion Road, Suite 110, Jonesboro, GA 30236 (Clayton County)

**Contact:** Kenneth Basille, Managing Member 770-329-2000

**Estimated Cost:** \$185,400

**2020-028 United Imaging Center of Marietta**

**OPPOSITION FILED**

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

**Filed: 5/21/2020 Deemed Incomplete: 6/4/2020 Deemed Complete: 6/19/2020**

**60th Day Deadline: 8/17/2020**

**Decision Deadline: 10/16/2020**

**Site:** 1965 North Park Place SE, Suite 210, Atlanta, GA 30339 (Fulton County)

**Contact:** Ken Basille Managing Member 770-329-2000

**Estimated Cost:** \$186,800

**2020-029 South Georgia Medical Center**

Expand Hospital Bed Capacity by 45 beds

**Filed: 6/15/2020 Deemed Complete: 6/29/2020**

**60th Day Deadline: 8/27/2020**

**Decision Deadline: 10/26/2020**

**Site:** 2501 North Patterson Street, Valdosta, GA 31602 (Lowndes County)

**Contact:** Ronald E. Dean, President and CEO 229-259-4102

**Estimated Cost:** \$886,645

**2020-030 HealthSouth Rehabilitation Hospital of Forsyth County**

Cost Overrun for CON2014-028

**Filed: 7/13/2020 Deemed Incomplete: 7/27/2020 Deemed Complete: 8/24/2020**

**60th Day Deadline: 10/22/2020**

**Decision Deadline: 12/21/2020**

**Site:** 165 Sanders Road, Cumming, GA 30041 (Forsyth County)

**Contact:** Walter C. Smith, Dir. State Regulatory 205-970-7926

**Estimated Cost:** \$33,000,000

**2020-031 Vest Monroe, LLC**

Additional 23 Adult Psychiatric/Substance Abuse Beds - [Batching](#)

**Filed: 8/21/2020 Deemed Complete: 8/21/2020**

**60th Day Deadline: 10/19/2020**

**Decision Deadline: 12/18/2020**

**Site:** 709 Breedlove Drive, Monroe, GA 30655 (Walton County)

**Contact:** Martina Sze, Executive Vice President 212-243-5565

**Estimated Cost:** \$2,647,300

## Recently Approved Applications

**2020-024 Northside Hospital Gwinnett**

Additional 27 Emergency Exam Rooms and 30- Bed Observation Unit

**Filed: 3/30/2020 Deemed Complete: 4/13/2020**

**60th Day Deadline: 6/11/2020**

**Decision Deadline: 8/10/2020**

**APPROVED: 8/10/2020**

**Site:** 1000 Medical Center Boulevard, Lawrenceville, GA 30046 (Gwinnett County)

**Contact:** Jeffrey Stofko 678-312-3310

**Estimated Cost:** \$57,000,000

## Recently Denied Applications

none

## Appealed Determinations

**DET2016-208 Emory University d/b/a Emory University Hospital (“EUH”) and ES Rehabilitation, LLC d/b/a Emory Rehabilitation Hospital (“ES Rehab”)** (collectively, “Requestors”) Request for Letter of Determination regarding the reviewability of a proposed relocation, decoupling and transfer of EUH’s sixteen (16) comprehensive inpatient physical rehabilitation (“CIPR”) beds.

**Agency Decision:** Denied on 2/24/2016.

**Appealed:** Requestors filed request for Administrative Appeal on 03/16/2017.

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

**Hearing Date:** 6/15/2017.

**Hearing Decision:** Hearing Officer grants Motion of Summary Adjudication to Requestors, 8/28/2017. Department requests Commissioner Review, 9/22/2017.

**Commissioner Review Decision:** Commissioner reverses decision of Hearing Officer and grants summary adjudication to Department, 11/16/17. Emory files petition for Judicial Review, 12/18/17.

**Superior Court Decision:** Court grants the Petition for Judicial Review and Reverses the Department’s Final Order, 7/26/2018. Department filed Application for Discretionary Appeal with Court of Appeals, 8/24/2018.

**Court of Appeals:** Court of Appeals reversed the order of the superior court granting Emory’s petition for judicial review, 6/28/2019. Emory files Petition for Writ of Certiorari in the Georgia Supreme Court, 7/18/2019. The Supreme Court denied the petition for certiorari, 2/28/2020.

**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:** Pending

**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:** Pending

**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:** 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. / 5<sup>th</sup> Floor

### **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.

**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.

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

**2017-063 Redmond Regional Medical Center (Floyd)**

Develop Basic Level 1 Perinatal Service - Batching

**Agency Decision:** Approved, 3/26/2018

**Appealed By:** Floyd Healthcare Management, Inc d/b/a Floyd Medical Center ("FMC"), 4/24/2018

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

**Hearing Date:** 12/3/2018

**Hearing Decision:** Hearing Officer affirmed Department's decision to award a CON to Redmond Regional Medical Center, 2/26/19. FMC filed for Commissioner Review, 3/28/2019.

**Commissioner Review Decision:** Commissioner affirmed Hearing Officer's 2/26/2019 decision to award a CON to Redmond, 4/26/2019. FMC filed petition for judicial review, 5/28/2019.

**Superior Court Decision:** Affirms the final decision to award a CON to Redmond, 9/26/2019.

**Court of Appeals:** FMC filed Application for Discretionary Appeal 10/28/19. Court of Appeals denied FMC's Application for Discretionary Appeal 11/21/19. FMC filed Notice of Intention to Petition for Writ of Certiorari in the Georgia Supreme Court, 12/2/19. FMC filed Petition for Writ of Certiorari in Georgia Supreme Court, 12/11/2019. Redmond filed Response in Opposition to FMC's Petition for Certiorari, 12/30/2019.

**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 Decision:** 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 Decision:** 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.

**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; 8/24/2020, 9:30 A.M. / 5<sup>th</sup> Floor

#### **2018-074 Savannah Health Services, LLC d/b/a Memorial Health University Medical Center (Chatham)**

Add (expand) 8 Neonatal Intermediate Care Beds to its Existing Services

**Agency Decision:** Denied, 3/25/2019

**Appealed By:** Savannah Health Services, LLC d/b/a Memorial Health University Medical Center  
("Memorial"), 4/23/2019

Candler Hospital, Inc. ("Candler") files request to intervene in Appeal Hearing, 4/24/2018 and withdraws its request to  
intervene on 8/30/2019.

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

**Hearing Date:** 9/23/2019, 5th Floor, 9:30AM

**Hearing Decision:** Hearing Officer affirmed the Department's decision to deny a CON to Memorial, 1/7/2020. Savannah  
Health Services, LLC d/b/a Memorial Health University Medical Center ("Memorial") appeals the Hearing Officer's  
Decision, 2/5/2020.

**Commissioner Review Decision:** Hearing Officer Decision is Reversed, 3/6/2020.

#### **2019-012 Northside Hospital Cancer Institute Radiation Oncology - Lawrenceville (Gwinnett)**

Megavoltage Radiation Therapy-Batching

**Agency Decision:** Denied, 6/18/2019

**Appealed By:** Northside Hospital, Inc., 7/17/2019, Northeast Georgia Medical Center-South Hall files request to  
intervene in Appeal Hearing, 7/18/2019; Northeast Georgia Medical Center-Main Campus files request to intervene in  
Appeal Hearing, 7/18/2019; RCOG Cancer Centers, LLC d/b/a Gwinnett County Radiation Oncology Center-Lawrenceville  
files request to intervene in Appeal Hearing, 7/17/2019; RCOG Cancer Centers, LLC d/b/a Gwinnett County Radiation  
Therapy Center—Snellville files request to intervene in Appeal Hearing, 7/17/2019; Vantage Cancer Centers of Georgia,  
LLC d/b/a Vantage Oncology Cancer Center at Lawrenceville files request to intervene in Appeal Hearing, 7/17/2019.

Northside withdraws appeal of their 6/18/2019 denial, 4/22/2020. Order of dismissal issued by Hearing Officer, 4/22/2020

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

#### **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. / Remote Video Conference

#### **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. / 5<sup>th</sup> Floor

**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:** Pending

**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:** Pending

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

Construction of Freestanding Emergency Department

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

**Appealed By:** 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

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

**Hearing Date:** Pending

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

Construction of Freestanding Emergency Department

**Agency Decision:** Approved, 6/8/2020

**Appealed By:** 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:** Pending

**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:** 2/9-12/2021, 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:** 12/7/2020, 12/10/2020, 9:00 A.M. / 41<sup>st</sup> Floor; 12/8-9/2020, 12/11-18/2020, 9:00 A.M. / 5<sup>th</sup> Floor



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

**Hearing Date:** 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"), 8/24/2020.

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

**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-EQT2020042 Upson County Hospital, Inc.**

Purchase Fixed CT Scanner

**Request received:** 6/10/2020

**Contact Person:** John Williams

**Determination:** Non-reviewable as proposed      **Determination Date:** 8/10/2020

**DET-EQT2020043 Sports Medicine South of Gwinnett, LLC**

Purchase Fixed MRI

**Request received:** 7/1/2020

**Contact Person:** Kaylee Rosenberger

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

**Date of Withdrawal:** 8/25/2020

**DET-EQT2020044 Scottish Rite Children's Medical Center, Inc. d/b/a Children's Healthcare of**

Purchase Nuclear Medicine Camera

**Request received:** 7/15/2020

**Contact Person:** David R. Tatum

**Determination:** Pending

**DET-EQT2020045 Ortho Sport and Spine Physicians**

Purchase Fixed MRI

**Request received:** 7/17/2020

**Contact Person:** Sean Bajnath

**Determination:** Pending

**DET-EQT2020046 The Medical Center, Inc. d/b/a Piedmont Columbus Regional Midtown**

Purchase Surgical Robot

**Request received:** 7/20/2020

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET-EQT2020047 Outpatient Imaging, LLC**

Purchase MRI, CT Scanner, Ultrasound, X-ray

**Request received:** 7/30/2020

**Contact Person:** John Arnold, M.D.

**Determination:** Pending

**DET-EQT2020048 University Health Services, Inc.**

Purchase Cardiac Cath Lab Equipment

**Request received:** 8/10/2020

**Contact Person:** Edward Burr

**Determination:** Pending

**DET-EQT2020049 Douglas Hornsby, M.D., LLC**

Lease Fixed MRI

**Request received:** 8/11/2020

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET-EQT2020050 Douglas Hornsby, M.D., LLC**

Lease Mobile MRI

**Request received:** 8/11/2020

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET-EQT2020051 Douglas Hornsby, M.D., LLC**

Lease Mobile MRI

**Request received:** 8/21/2020

**Contact Person:** Victor Moldovan

**Determination:** Pending

**DET-EQT2020052 The Multiple Sclerosis Center of Georgia, Inc.**

Purchase Fixed MRI

**Request received:** 8/24/2020

**Contact Person:** Tamara Smith

**Determination:** Pending

**DET-EQT2020053 Floyd Healthcare Management, Inc.**

Purchase da Vinci Xi Dual Console System

**Request received:** 8/25/2020

**Contact Person:** Drew Dempsey

**Determination:** Pending

**DET-EQT2020054 Grady Memorial Hospital Corporation**

Purchase da Vinci Surgical Robot

**Request received:** 8/27/2020

**Contact Person:** Mike McCarthy

**Determination:** Pending

**DET-EQT2020055 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett**

Purchase Fixed MRI

**Request received:** 8/27/2020

**Contact Person:** Brian Toporek

**Determination:** Pending

**DET-EQT2020056 Houston Hospitals, Inc dba Houston Medical Center**

Lease Mobile MRI

**Request received:** 8/28/2020

**Contact Person:** Mindy Hartley, DNP, MBA, RN, NE-BC

**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)*

**LNR-ASC2020007 Lunate Surgery Center, LLC**

Physician-Owned, Single Specialty ASC

**Site:** 6115 Peachtree Dunwoody Road Suites 210 and 230 Atlanta, GA 30328

**Number of ORs:** 1      **Specialty:** Ambulatory Surgery Center

**Project costs as submitted:** \$728,662

**Request received:** 7/1/2020  
**Contact Person:** Joseph R. Ross 912-232-7182  
**Determination:** Pending

**LNR-ASC2020008 Georgia Vascular and Vein Center, LLC**  
Physician-Owned, Single Specialty ASC  
**Site:** 2685 Peachtree Pkwy, Suite 340 Suwanee, GA 30024  
**Number of ORs:** 1 **Specialty:** Ambulatory Surgery Center  
**Project costs as submitted:** 0

**Request received:** 7/2/2020  
**Contact Person:** Kathryn MT Platt 404-728-1974  
**Determination:** Approved **Determination Date:** 8/31/2020

**LNR-ASC2020011 Georgia Interventional Pain - H, LLC**  
Physician-Owned, Single Specialty ASC  
**Site:** 526 Bankhead Highway, Suite 102 Carrollton, GA 30117  
**Number of ORs:** 1 **Specialty:** Ambulatory Surgery Center  
**Project costs as submitted:** \$479,513  
**Request received:** 8/24/2020  
**Contact Person:** Joseph R. Ross 912-232-7182  
**Determination:** Pending

## Requests for Miscellaneous Letters of Determination

**DET2020100 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett**  
Determination Request to Replace CT Scanner  
**Request received:** 5/6/2020  
**Contact Person:** Brian Toporek  
**Determination:** Pending

**DET2020102 Grady Memorial Hospital Corporation (for Fulton-DeKalb Hospital Authority -**  
IR Relocation and Equipment Replacement  
**Request received:** 5/6/2020  
**Contact Person:** George Smith  
**Determination:** Pending

**DET2020113 Adventist Health System Georgia, Inc. d/b/a AdventHealth Gordon**  
PCI Application  
**Request received:** 5/13/2020 **Challenge Received:** 6/11/2020  
**Contact Person:** Eric Henderson  
**Determination:** Non-reviewable as proposed **Determination Date:** 7/15/2020  
**Opposition:** Hamilton Medical Center- 6/11/2020

**DET2020138 Piedmont Hospital Inc., d/b/a Piedmont Atlanta Hospital**  
Organ Recovery Program  
**Request received:** 6/1/2020  
**Contact Person:** Christine MacEwen 404-605-2233  
**Determination:** Non-reviewable as proposed **Determination Date:** 8/11/2020

**DET2020144 PT Hills Place Terraces, LLC**  
10 PCH Beds  
**Request received:** 6/9/2020  
**Contact Person:** Kathryn MT Platt  
**Determination:** Non-reviewable as proposed **Determination Date:** 8/7/2020

**DET2020145 Houston Hospitals, Inc d/b/a Houston Medical Center**  
Houston Medical Center OR Expansion  
**Request received:** 6/10/2020  
**Contact Person:** Mindy Hartley  
**Determination:** Non-reviewable as proposed **Determination Date:** 8/10/2020

**DET2020147 Numed, Inc. on behalf of Kaiser Permanente Health Plan Georgia Region**

Addition of a PET/CT System and Services

**Request received:** 6/11/2020

**Contact Person:** Jack Allen

**Determination:** Non-reviewable as proposed      **Determination Date:** 8/10/2020

**DET2020148 Alliance HealthCare Services**

Replace grandfathered mobile PET/CT Unit

**Request received:** 6/11/2020

**Contact Person:** Dorothy H. Cornwell

**Determination:** Non-reviewable as proposed      **Determination Date:** 8/10/2020

**DET2020149 ES Rehabilitation, LLC d/b/a Emory Rehabilitation Hospital**

Increase of Ten Beds

**Request received:** 6/12/2020

**Contact Person:** Eric Garrard, CEO

**Determination:** Non-reviewable as proposed      **Determination Date:** 8/10/2020

**DET2020150 Winthrop Manor Nursing Home, LLC dba Winthrop Health & Rehab**

Renovation of Skilled Nursing Center

**Request received:** 6/12/2020

**Contact Person:** Teresa Moody

**Determination:** Non-reviewable as proposed      **Determination Date:** 8/10/2020

**DET2020151 Hamilton Medical Center, Inc.**

Dialysis Determination Request

**Request received:** 6/16/2020

**Contact Person:** Danny Wright

**Determination:** Non-reviewable as proposed      **Determination Date:** 8/14/2020

**DET2020152 Oaks Senior Living, LLC**

Manage Assisted Living Community

**Request received:** 6/23/2020

**Contact Person:** Alex Salabarria

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

**Date of Withdrawal:** 8/27/2020

**DET2020153 Oaks Senior Living LLC**

Manage Assisted Living Community

**Request received:** 6/23/2020

**Contact Person:** Alex Salabarria

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

**Date of Withdrawal:** 8/27/2020

**DET2020154 Parkside Operation LLC**

New Construction

**Request received:** 6/29/2020

**Contact Person:** Jason Blalock

**Determination:** Non-reviewable as proposed      **Determination Date:** 8/18/2020

**DET2020155 Hamilton Ambulatory Surgery Center, Inc.**

ASC Boiler System Replacement

**Request received:** 7/1/2020

**Contact Person:** Danny Wright

**Determination:** Non-reviewable as proposed      **Determination Date:** 8/31/2020

**DET2020156 Cedar Communities at Commerce, LLC**

Bed Increase

**Request received:** 7/1/2020

**Contact Person:** Charmaine Mech

**Determination:** Pending

**DET2020157 Piedmont Hospital Newnan, Inc. d/b/a Piedmont Newnan Hospital**

CV Services and Physician Office Space

**Request received:** 7/6/2020  
**Contact Person:** Christine MacEwen  
**Determination:** Pending

**DET2020158 EHCA Johns Creek, LLC d/b/a Emory Johns Creek Hospital**  
Construct four new ICU beds  
**Request received:** 7/7/2020  
**Contact Person:** Laurie Hansen  
**Determination:** Pending

**DET2020159 AU Medical Center, Inc.**  
Replacement of 1.5T MRI Unit  
**Request received:** 7/14/2020  
**Contact Person:** Kathryn MT Platt  
**Determination:** Pending

**DET2020160 AU Medical Center, Inc.**  
Replacement of 3.0T MRI  
**Request received:** 7/14/2020  
**Contact Person:** Kathryn MT Platt  
**Determination:** Pending

**DET2020161 Greene County Health Care, LLC dba Greene Point Health and Rehabilitation**  
Relocate 50 SNF Beds within the Same County  
**Request received:** 7/15/2020  
**Contact Person:** Kimberly F. Sheffield  
**Determination:** Pending

**DET2020162 Candler Hospital, Inc**  
Renovate Cytology Lab  
**Request received:** 7/15/2020  
**Contact Person:** Brad Trower  
**Determination:** Pending

**DET2020163 Wellstar Atlanta Medical Center, Inc. d/b/a Wellstar Atlanta Medical Center**  
Decoupling of Hospital Licenses  
**Request received:** 7/15/2020  
**Contact Person:** April Austin  
**Determination:** Pending

**DET2020164 BUS1818LIG, LLC**  
Establishment of Assisted Living and Memory Care Community  
**Request received:** 7/23/2020  
**Contact Person:** Laura Blakeman  
**Determination:** Pending

**DET2020165 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett**  
Change Defined Location of CT Service on Primary Campus  
**Request received:** 7/23/2020  
**Contact Person:** Brian Toporek  
**Determination:** Pending

**DET2020166 St. Francis Health, LLC d/b/a St. Francis Hospital**  
Replacement of Cardiac Cath Lab  
**Request received:** 7/27/2020  
**Contact Person:** Alan George  
**Determination:** Pending

**DET2020167 American Health Imaging of Georgia, LLC**  
Relocation of Existing Healthcare Facility  
**Request received:** 7/31/2020  
**Contact Person:** Stephen Janis  
**Determination:** Pending

**DET2020168 American Health Imaging of Georgia, LLC**

Replace CT Acquired Prior to 2008, Below Threshold

**Request received:** 7/31/2020

**Contact Person:** Stephen Janis

**Determination:** Pending

**DET2020169 American Health Imaging of Georgia, LLC**

Replacement of CON-Approved MRI Unit

**Request received:** 7/31/2020

**Contact Person:** Stephen Janis

**Determination:** Pending

**DET2020170 Adventist Health System, Georgia, INC**

USP 800 Pharmacy Upgrades

**Request received:** 8/3/2020

**Contact Person:** Karen Steely

**Determination:** Pending

**DET2020171 University Cancer & Blood Center**

Replacement of Linear Accelerator

**Request received:** 8/3/2020

**Contact Person:** Kerry Clark

**Determination:** Pending

**DET2020172 Piedmont Rockdale Hospital Inc., d/b/a Piedmont Rockdale Hospital**

Piedmont Rockdale Hospital Bed Expansion

**Request received:** 8/4/2020

**Contact Person:** Christine MacEwen

**Determination:** Pending

**DET2020173 Tift Regional Health System, Inc. d/b/a Southwell Medical**

Addition of GI/OR Room and New Pre/Post Rooms

**Request received:** 8/6/2020

**Contact Person:** Alex Le

**Determination:** Pending

**DET2020174 Tift Regional Health System, Inc. d/b/a Tift Regional Medical Center**

Addition of 3rd Adult Cardiac Catheterization Laboratory

**Request received:** 8/7/2020

**Contact Person:** Alex Le

**Determination:** Pending

**DET2020175 Cobb Hospital, Inc. d/b/a Wellstar Cobb Hospital**

New Hospital Outpatient Department

**Request received:** 8/20/2020

**Contact Person:** April Austin

**Determination:** Pending

**DET2020176 GRADY HEALTH SYSTEM**

N.I.C.U. REMODELING

**Request received:** 8/21/2020

**Contact Person:** GEORGE SMITH

**Determination:** Pending

**DET2020177 Grady Health System**

7-A INPATIENT UNIT REFRESH

**Request received:** 8/21/2020

**Contact Person:** GEORGE SMITH

**Determination:** Pending

**DET2020178 Piedmont Newnan Hospital, Inc. d/b/a Piedmont Newnan Hospital**

Pharmacy Renovation to Comply with U.S. Pharmacopeia Guidelines

**Request received:** 8/24/2020

**Contact Person:** Christine MacEwen  
**Determination:** Pending

**DET2020179 John D. Archbold Memorial Hospital, Inc.**

Additional Cardiac Catheterization Lab  
**Request received:** 8/27/2020  
**Contact Person:** Kathryn MT Platt  
**Determination:** Pending

**DET2020180 Grady Memorial Hospital Corporation**

Replacement of Interventional Radiology Equipment  
**Request received:** 8/28/2020  
**Contact Person:** Mike McCarthy  
**Determination:** Pending

**DET2020181 Grady Memorial Hospital Corporation**

Replacement of Equipment  
**Request received:** 8/28/2020  
**Contact Person:** Mike McCarthy  
**Determination:** Pending

**DET2020182 Tanner Medical Center, Inc.**

Capital Expenditures Below Threshold  
**Request received:** 8/26/2020  
**Contact Person:** Carol S. Crews  
**Determination:** Pending

**DET2020183 UHS of Anchor, L.P.**

Sitework and Renovation Activities to Improve Safety Against Flooding  
**Request received:** 8/31/2020  
**Contact Person:** Luis Betances  
**Determination:** Pending

**DET2020184 Eagles Landing Living, LLC**

Develop New Assisted Living Community  
**Request received:** 8/31/2020  
**Contact Person:** Alex Salabarria  
**Determination:** Pending

**DET2020185 Lotus Park Senior Living-Barrett**

Develop New Assisted Living Community  
**Request received:** 8/31/2020  
**Contact Person:** Alex Salabarria  
**Determination:** Pending

## Requests for Extended Implementation/Effective Period

**2018036 Cartersville Medical Center, LLC d/b/a Cartersville Medical Center**

Consolidation, Expansion, Renovation of Cardiac Services  
Request to Extend Completion Date  
**Site:** 960 Joe Frank Harris Parkway, Cartersville (Bartow)  
**Project Approved:** 11/21/2018  
**Request Received:** 6/8/2020  
**Contact:** Lori Rakes, COO (770-387-8181)  
**Approved Cost:** \$4,054,336  
**Determination:** Approved, 8/6/2020

**Extended Mandatory Completion:** August 15, 2020

**2018066 Doctors Hospital of Augusta**

Expansion of Joseph M Still Burn Center  
Request to Extend Completion Date  
**Site:** 3651 Wheeler Road, Augusta (Richmond)  
**Project Approved:** 3/8/2019

**Request Received:** 6/16/2020  
**Contact:** Terry T. Treadwell (706-651-6101)  
**Approved Cost:** \$78,097,000  
**Determination:** Withdrawn, 8/31/2020

**2013037 Devi Manor Home for Life, LLC**

Development of a 252-bed Skilled Nursing Facility – Batching  
Request to Extend Completion Date  
**Site:** 6095 Pine Mountain Road, Bldg 200, Kennesaw (Cobb)  
**Project Approved:** 9/24/2013  
**Request Received:** 6/22/2020  
**Contact:** Harshad Patel, PhD, President and CEO (732-319-3055)  
**Approved Cost:** \$56,531,000  
**Determination:** Denied, 8/27/2020

**2018017 Savannah Health Services, LLC dba Memorial Health University Medical Center**

Cost Overrun for CON 2014-040  
Request to Extend Completion Date  
**Site:** 4700 Waters Avenue, Savannah (Chatham)  
**Project Approved:** 8/17/2018  
**Request Received:** 7/20/2020  
**Contact:** Matthew Hasbrouck, COO (912-350-8519)  
**Approved Cost:** \$35,558,878  
**Determination:** Approved, 8/31/2020 **Extended Mandatory Completion:** August 31, 2021

**2018064 Savannah Health Services, LLC dba Memorial Health University Medical Center**

Purchase a 1.5 MRI Unit  
Request to Extend Completion Date  
**Site:** 4700 Waters Avenue, Savannah (Chatham)  
**Project Approved:** 3/8/2019  
**Request Received:** 7/20/2020  
**Contact:** Matthew S. Hasbrouck, COO (912-350-8519)  
**Approved Cost:** \$5,880,900  
**Determination:** Approved, 8/31/2020 **Extended Mandatory Completion:** August 30, 2021

**2017035 University Hospital**

Renovation of Hospital's Sixth Floor  
Request to Extend Completion Date  
**Site:** 1350 Walton Way, Augusta (Richmond)  
**Project Approved:** 12/19/2017  
**Request Received:** 8/14/2020  
**Contact:** Edward L. Burr, VP, Legal Affairs (706-774-4500)  
**Approved Cost:** \$5,131,973  
**Determination:** Approved, 8/31/2020 **Extended Mandatory Completion:** August 19, 2020

**2018053 Stephens County Hospital**

Establish 12-Bed Acute Adult Psych Program- Batching  
Request to Extend Completion Date  
**Site:** 163 Hospital Drive, Toccoa (Stephens)  
**Project Approved:** 12/20/2018  
**Request Received:** 8/17/2020  
**Contact:** Michael Hester, CEO (706-282-5841)  
**Approved Cost:** \$1,140,000  
**Determination:** Pending

**2018070 Bayview Nursing Home LLC**

Renovation Expenditure  
Request to Extend Completion Date  
**Site:** 12884 Cleveland Street West, Nahunta (Brantley)  
**Project Approved:** 3/18/2019  
**Request Received:** 8/21/2020  
**Contact:** Chip Davis (478-988-1294)  
**Approved Cost:** \$4,442,507  
**Determination:** Pending



## Need Projection Analyses Posted **6/22/2020**

### 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 6/22/2020

2025 PET Need Projection – Posted 6/22/2020

2024 Ambulatory Surgical Services Need Projection by HPA– Posted 3/27/2020

2024 Rehab Need Projection– Posted 3/27/2020

2024 Neonatal Intermediate Care Bed Need Projection – Posted 3/27/2020

2024 Neonatal Intensive Care Bed Need Projection – Posted 3/27/2020

2024 Obstetric Services Bed Need Projection – Posted 3/27/2020

2022 Nursing Home Bed Need Projection – Posted 3/27/2020

2022 Home Health Agency Need Projections - Posted 3/27/2020

#### Non-Batched Need Projections

2024 Long Term Care Hospital Beds - 8/9/2019

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).

A listing of complete and incomplete surveys separated by service and by year may be found at [www.GaMap2Care.info](http://www.GaMap2Care.info).

## Indigent and Charity Care Shortfalls

### Facilities with Indigent and Charity Care Commitment Shortfalls for Most Recent 3 Years (Commitment status as of (9/1/2020))

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 6/22/2020 on DCH Website*** **Summer 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](#)

[MegaVoltage Radiation Therapy](#)

[Pediatric Cath/Open Heart](#)

[Adult Open Heart](#)

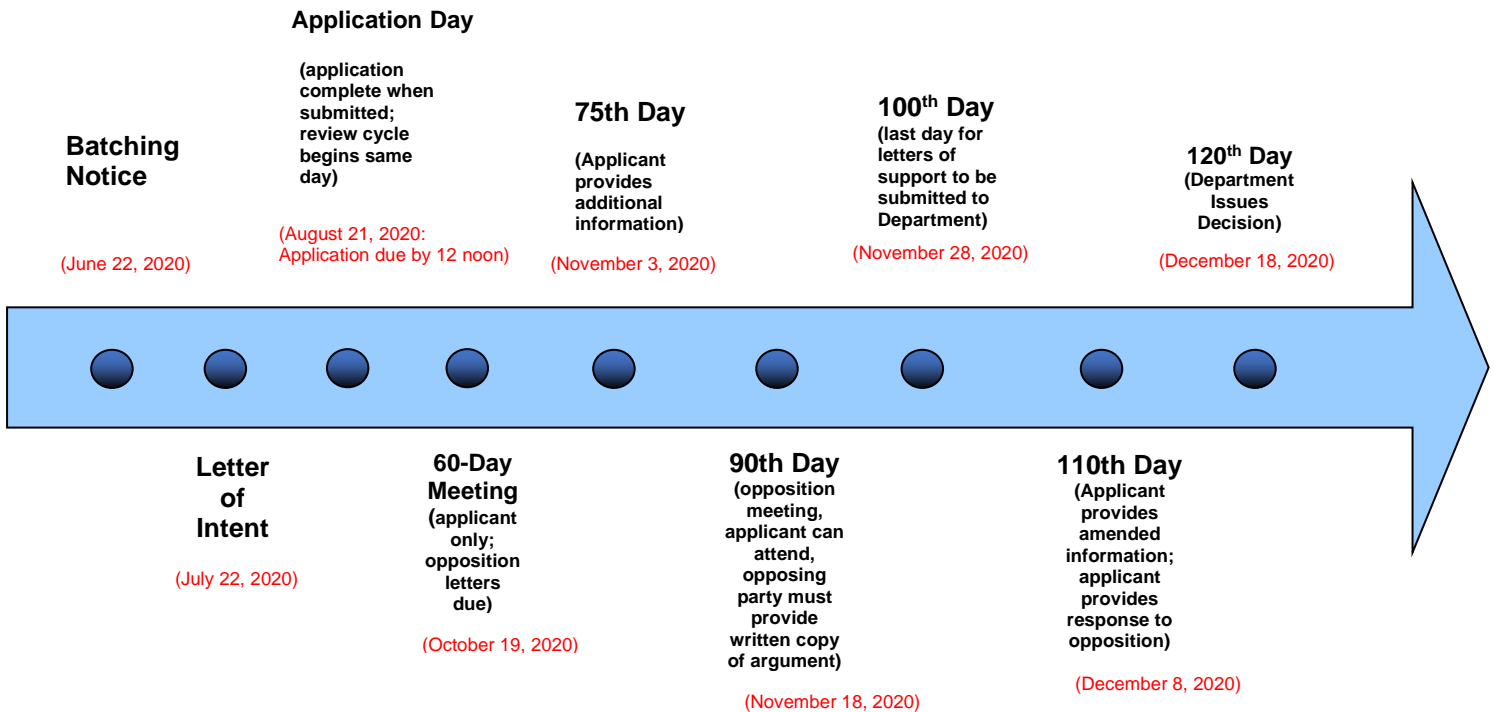
[Birthing Centers](#)

[Psych/Substance Abuse](#)

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

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

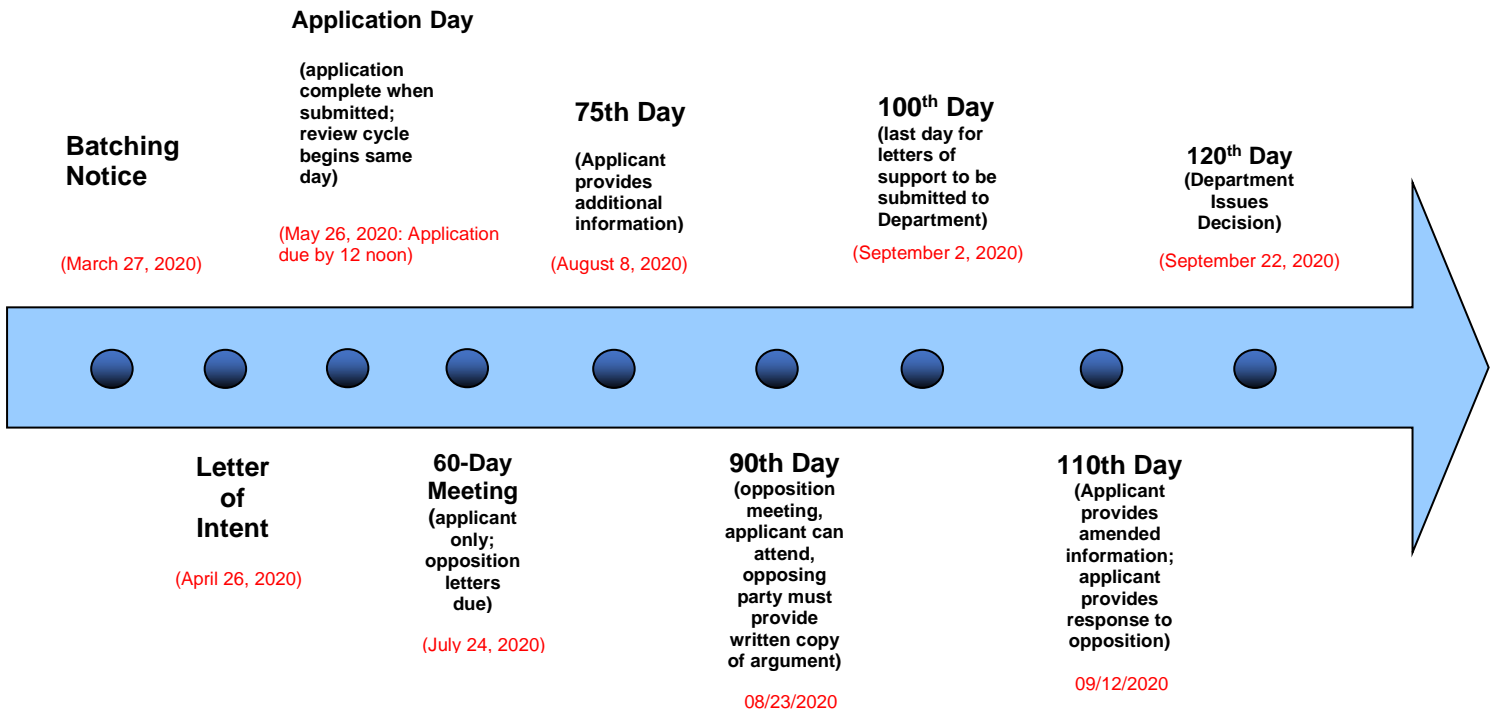
## SUMMER CYCLE



- ▶ 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)

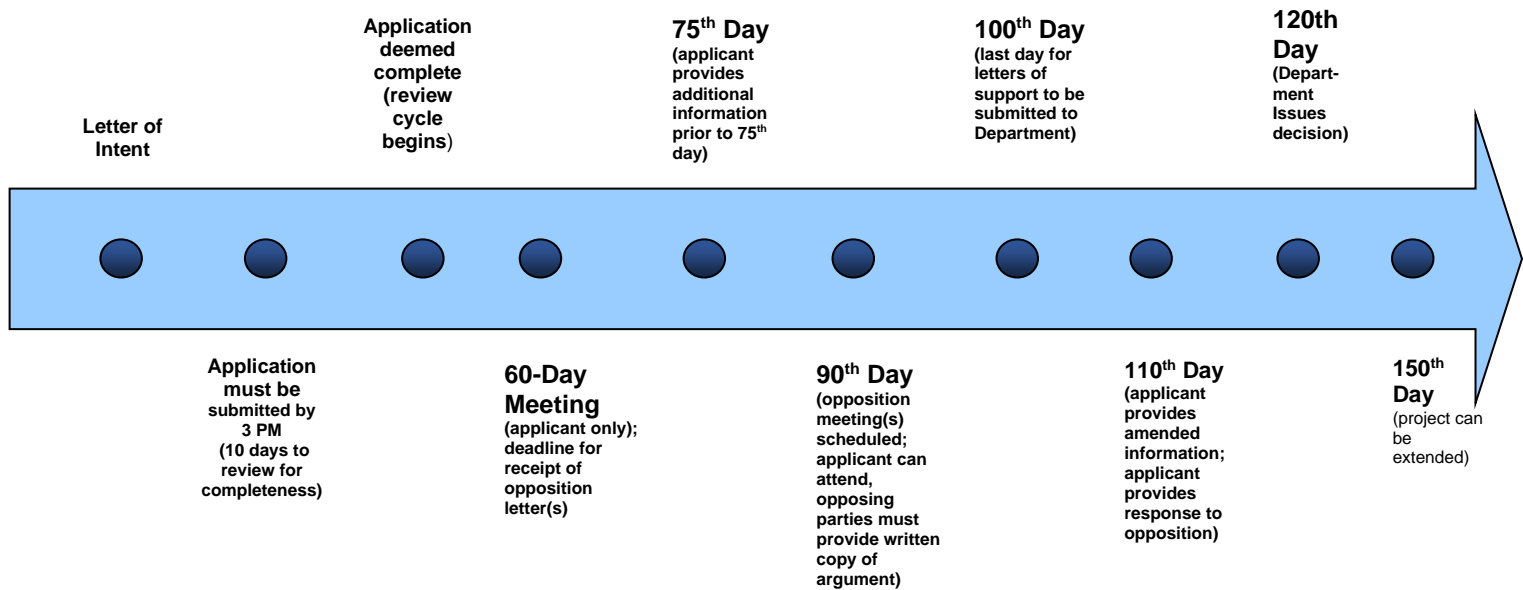
# BATCHED APPLICATIONS: SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES

## SPRING 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 visit [www.georgiamap2care.info](http://www.georgiamap2care.info) 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

## 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

William "Bill" C. Joy (Vice Chair)  
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>