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Office of Health Planning



GEORGIA DEPARTMENT
OF COMMUNITY HEALTH

CERTIFICATE OF NEED

Tracking And Appeals Report

October 25, 2023 – October 31, 2023

Please Note DCH Has Moved:

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

(404) 656-0409
(404) 656-0442 Fax
www.dch.georgia.gov

[Updated Certificate of Need Project Forms](#)

[IMPORTANT NOTICES](#)

Letters of Intent

LOI2023064 Atlanta Heart Associates, P.C.

Acquisition of Fixed-Based Cardiac PET System

Received: 10/9/2023

Application must be submitted on: 11/8/2023

Site: 3333 Jodeco Road, Suite A, McDonough, GA 30253 (Henry County)

Estimated Cost: \$332,955

LOI2023065 Upson County Hospital, Inc.

Relocate/Enhance Labor and Delivery, Post-Partum, Nursery, and ICU Services

Received: 10/5/2023

Application must be submitted on: 11/6/2023

Site: 801 West Gordon Street, Thomaston, GA 30286 (Upson County)

Estimated Cost: \$40,000,000

Letters of Intent – Batching

Ambulatory Surgery

LOI2023066 Bethlehem ASC, LLC

Establishment of Ambulatory Surgery Center - Batching

Received: 10/30/2023

Application must be submitted on: 11/28/2023

Site: 980 Loganville Highway, Bethlehem, GA 30620 (Barrow County)

Estimated Cost: \$45,000,000

LOI2023067 The Emory Clinic, Inc.

Relocation of Ambulatory Surgery Center - Batching

Received: 10/30/2023

Application must be submitted on: 11/28/2023

Site: 4555 North Shallowford Road, Atlanta, GA 30338 (DeKalb County)

Estimated Cost: \$7,200,000

LOI2023070 Pediatric and Adult Surgery Center of Atlanta, LLC

Conversion of LNR-Authorized ASC to CON-Authorized ASC - Batching

Received: 10/30/2023

Application must be submitted on: 11/28/2023

Site: 2061 Peachtree Rd., N.W., Suite 300, Atlanta, GA 30309 (Fulton County)

Estimated Cost: \$75,000

Home Health

LOI2023068 Axzons Homecare Ltd.

Establishment of Home Health Agency - Batching

Received: 10/30/2023

Application must be submitted on: 11/28/2023

Site: 2100 Westshore Dr., Cumming, GA 30041 (Forsyth County)

Estimated Cost: \$100,000

LOI2023071 Proud Life Home Care

Establishment of Home Health Agency - Batching

Received: 10/30/2023

Application must be submitted on: 11/28/2023

Site: 10053 Tara Glynn Dr, Hampton, GA 30228 (Clayton County)

Estimated Cost: \$1,000

LOI2023072 PruittHealth Home Health, Inc. d/b/a PruittHealth @ Home - Gainesville

Expansion of Home Health Agency - Batching

Received: 10/30/2023

Application must be submitted on: 11/28/2023

Site: 2545 Flintridge Rd NE #110, Gainesville, GA 30501 (Hall County)

Estimated Cost: \$25,000

LOI2023073 Mountain HH, LLC d/b/a Mountain Home Health

Expansion of Home Health Agency - Batching

Received: 10/30/2023

Application must be submitted on: 11/28/2023

Site: 516-A Blue Ridge Street, Blairsville, GA 30067 (Union County)
Estimated Cost: \$25,000

LOI2023074 Amodestri Care LLC

Establishment of Home Health Agency - Batching

Received: 10/30/2023 **Application must be submitted on:** 11/28/2023

Site: 11780 Hastings Bridge Road, Hampton, GA 30228 (Henry County)

Estimated Cost: \$10,000

LOI2023075 4Angels Home Healthcare Agency LLC

Establishment of Home Health Agency - Batching

Received: 10/30/2023 **Application must be submitted on:** 11/28/2023

Site: 2015 Pennsylvania Ave, McDonough, GA 30253 (Henry County)

Estimated Cost: \$0

Newborn ICU/ Neonatal INT

LOI2023069 Piedmont Newton Hospital, Inc. d/b/a Piedmont Newton Hospital

Establishment of Neonatal Intensive Care Service - Batching

Received: 10/30/2023 **Application must be submitted on:** 11/28/2023

Site: 5126 Hospital Drive NE, Covington, GA 30014 (Newton County)

Estimated Cost: \$200,000

Expired Letters of Intent

none

Withdrawn CON Applications

none

New CON Applications

none

Pending Review/Incomplete Applications

2023-064 Piedmont Community Imaging, LLC d/b/a Piedmont Community Imaging at Marietta

Establishment of Freestanding Imaging Center

Filed: 10/13/2023 **Deemed Incomplete:** 10/26/2023

Site: 660 Cherokee Street, Marietta, GA 30060 (Cobb County)

Contact: Michelle Fisher, President, Primary Care and Retail Services 404-425-1340

Estimated Cost: \$5,183,196

Pending Review/Complete Applications

2023-052 Hamilton Medical Center, Inc.

Relocation and Consolidation of Cardiovascular Services

Filed: 6/30/2023 **Deemed Complete:** 7/14/2023

60th Day Deadline: 9/11/2023

Decision Deadline: 11/10/2023

Site: 1200 Memorial Drive, Dalton, GA (Whitfield County)

Contact: Sandy McKenzie, President of Operations 706-272-6289

Estimated Cost: \$230,000,000

2023-054 Fairview Park, Limited Partnership d/b/a Fairview Park Hospital

Cost Overrun for CON2021-049

Filed: 7/19/2023 Deemed Incomplete: 8/2/2023 Deemed Complete: 8/4/2023
60th Day Deadline: 10/2/2023
Decision Deadline: 12/1/2023
Site: 200 Industrial Boulevard, Dublin, GA 31021 (Laurens County)
Contact: Ross Kemp, Chief Operating Officer 843-998-5880
Estimated Cost: \$8,062,000

2023-055 EHCA Johns Creek, LLC d/b/a Emory Johns Creek Hospital

Renovation and Addition of 37 Medical/Surgical Beds
Filed: 7/28/2023 Deemed Incomplete: 8/9/2023 Deemed Complete: 8/22/2023
60th Day Deadline: 10/20/2023
Decision Deadline: 12/19/2023
Site: 6325 Hospital Parkway, Johns Creek, GA 30097 (Fulton County)
Contact: Laurie Hansen, VP of Operations 678-474-7012
Estimated Cost: \$18,583,883

2023-056 Paulding Medical Center, Inc. d/b/a Wellstar Paulding Medical Center

Establishment of Mobile PET/CT Service - Batching
Filed: 8/21/2023 Deemed Complete: 8/21/2023
60th Day Deadline: 10/19/2023
Decision Deadline: 12/18/2023
Site: 2518 Jimmy Lee Smith Parkway, Hiram, GA 30141 (Paulding County)
Contact: James Satcher, Regulatory Planning Consultant 470-991-1834
Estimated Cost: \$20,000

2023-057 Piedmont Healthcare Encompass Health Eastside Rehabilitation Hospital, LLC

Establishment of Freestanding 40-Bed CIPR Hospital - Batching
Filed: 8/21/2023 Deemed Complete: 8/21/2023
60th Day Deadline: 10/19/2023
Decision Deadline: 12/18/2023
Site: 3195 Loganville Highway, Loganville, GA 30052 (Gwinnett County)
Contact: Christine Macewen, Corporate Counsel 404-271-2311
Estimated Cost: \$52,805,288

2023-058 Grady Memorial Hospital Corporation d/b/a Grady Health System

Development of 24-Bed CIPR Program - Batching
Filed: 8/21/2023 Deemed Complete: 8/21/2023
60th Day Deadline: 10/19/2023
Decision Deadline: 12/18/2023
Site: 80 Jesse Hill, Jr. Dr, SE, Atlanta, GA 30303 (Fulton County)
Contact: Shannon Sale, Chief Strategy Officer 404-616-7029
Estimated Cost: \$1,770,000

2023-059 Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center – Main Campus

Acquisition of Additional PET/CT Unit - Batching
Filed: 8/21/2023 Deemed Complete: 8/21/2023
60th Day Deadline: 10/19/2023
Decision Deadline: 12/18/2023
Site: 743 Spring Street, Gainesville, GA 30501 (Hall County)
Contact: Linda Berger, Director of Strategy & Planning 770-219-6631
Estimated Cost: \$2,009,996

2023-060 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta

Establishment of Mobile PET/CT Services at Hospital Outpatient Department - Batching
Filed: 8/21/2023 Deemed Complete: 8/21/2023
60th Day Deadline: 10/19/2023
Decision Deadline: 12/18/2023
Site: 1510 Klondike Road, Conyers, GA 30094 (Rockdale County)
Contact: Brian J. Toporek, Senior Planner 404-851-6821

Estimated Cost: \$320,309

2023-061 Samba Recovery at Dacula, LLC

Establishment of 64-Bed Acute Care, Adult Inpatient Substance Abuse Program – Batching

OPPOSITION FILED

Filed: 8/21/2023 **Deemed Complete:** 8/21/2023

60th Day Deadline: 10/19/2023

Decision Deadline: 12/18/2023

Site: 1200 Winder Highway, Dacula, GA 30019 (Gwinnett County)

Contact: John Bamberger, CEO 908-312-1423

Estimated Cost: \$975,000

2023-062 Center for Advanced Research & Education, LLC

Acquisition of PET Unit - Batching

OPPOSITION FILED

Filed: 8/21/2023 **Deemed Complete:** 8/21/2023

60th Day Deadline: 10/19/2023

Decision Deadline: 12/18/2023

Site: 2350 Limestone Parkway, Gainesville, GA 30501 (Hall County)

Contact: Chris Recknor, M.D., Founder/Physician 770-534-5154

Estimated Cost: \$660,000

Recently Approved Applications

2023-028 Doctors Hospital of Augusta, LLC d/b/a Doctors Hospital of Augusta

Addition of Two Floors and 56 Beds to Burn Tower

Filed: 5/24/2023 **Deemed Complete:** 6/7/2023

60th Day Deadline: 8/5/2023

Decision Deadline: 10/4/2023

APPROVED: 10/4/2023

Site: 3651 Wheeler Road, Augusta, GA (Richmond County)

Contact: Angela Taylor, VP of Development and Operations 706-651-4809

Estimated Cost: \$83,000,000

Recently Denied Applications

none

Disqualified Applications

none

Appealed Determinations

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

Agency Decision: Denied on 8/21/2019.

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

Hearing Officer: Dr. L. Lynn Hogue

Hearing Date: N/A

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

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

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

Court of Appeals: Grants Department’s Application for Discretionary Appeal, 7/15/2021. Reverses Superior Court of Cobb County’s 5/24/21 judgment granting Windy Hill’s Petition for Judicial Review and reversing Final Order of the

Department, 6/29/2022. WellStar Windy Hill files Notice of Intention to Petition for Writ of Certiorari, 7/10/2022. WellStar Windy Hill's Petition for Writ of Certiorari filed in the Georgia Supreme Court, 7/19/2022.

Supreme Court: Grants WellStar Windy Hill's Petition for Writ of Certiorari, 5/2/2023.

DET-EQT2022-009 AICA Clinics-Macon, P.C. Request for Letter of Determination received on 1/25/2022, regarding the acquisition of a GE 1.5T Excite HD MRI and a GE Brightspeed 16 Elite CT Scanner.

Agency Decision: Denied on 4/25/2022

Appealed: AICA Clinics – Macon, P.C. ("AICA-Macon") files Request for Administrative Appeal on 5/24/2022.

Hearing Officer: Dr. L. Lynn Hogue

Hearing Date: N/A

Hearing Decision: Hearing Officer denies AICA-Macon's Request for Summary Adjudication, grants the Department's Request for Summary Adjudication, and affirms the Department's 4/25/2022 determination, 10/2/2023. AICA-Macon requests Commissioner Review, 10/27/2023.

Commissioner Review Decision: Pending

DET2022-042 Resurgens East Surgery Center, LLC Request for Letter of Determination received on 2/18/2022, regarding restructuring a single group practice of physicians.

Agency Decision: Approved on 5/20/2022

Appealed: Georgia Alliance of Community Hospitals (the "Alliance") files Request for Administrative Appeal on 6/17/2022.

Hearing Officer: Dr. L. Lynn Hogue

Hearing Date: N/A

Hearing Decision: Hearing Officer grants Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 8/9/2023. The Alliance requests Commissioner Review, 9/7/2023.

Commissioner Review Decision: Affirms Hearing Officer's 8/9/2023 order granting Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 10/6/2023.

DET2022-043 Resurgens Fayette Surgery Center, LLC Request for Letter of Determination received on 2/18/2022, regarding restructuring a single group practice of physicians.

Agency Decision: Approved on 5/20/2022

Appealed: Georgia Alliance of Community Hospitals (the "Alliance") files Request for Administrative Appeal on 6/17/2022.

Hearing Officer: Dr. L. Lynn Hogue

Hearing Date: N/A

Hearing Decision: Hearing Officer grants Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 8/9/2023. The Alliance requests Commissioner Review, 9/7/2023.

Commissioner Review Decision: Affirms Hearing Officer's 8/9/2023 order granting Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 10/6/2023.

DET2022-044 Orthopedic South Surgical Partners, LLC Request for Letter of Determination received on 2/18/2022, regarding restructuring a single group practice of physicians.

Agency Decision: Approved on 5/20/2022

Appealed: Georgia Alliance of Community Hospitals (the "Alliance") files Request for Administrative Appeal on 6/17/2022.

Hearing Officer: Dr. L. Lynn Hogue

Hearing Date: N/A

Hearing Decision: Hearing Officer grants Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 8/9/2023. The Alliance requests Commissioner Review, 9/7/2023.

Commissioner Review Decision: Affirms Hearing Officer's 8/9/2023 order granting Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 10/6/2023.

DET2022-045 Lawrenceville Surgery Center, LLC Request for Letter of Determination received on 2/18/2022, regarding restructuring a single group practice of physicians.

Agency Decision: Approved on 5/20/2022

Appealed: Georgia Alliance of Community Hospitals (the "Alliance") files Request for Administrative Appeal on 6/17/2022.

Hearing Officer: Dr. L. Lynn Hogue

Hearing Date: N/A

Hearing Decision: Hearing Officer grants Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 8/9/2023. The Alliance requests Commissioner Review, 9/7/2023.

Commissioner Review Decision: Affirms Hearing Officer's 8/9/2023 order granting Resurgens ASCs' Motion for

Summary Determination and affirms Department's 5/20/2022 decision, 10/6/2023.

DET2022-046 Northwest Georgia Orthopaedic Surgery Center, L.L.C. Request for Letter of Determination received on 2/18/2022, regarding restructuring a single group practice of physicians.

Agency Decision: Approved on 5/20/2022

Appealed: Georgia Alliance of Community Hospitals (the "Alliance") files Request for Administrative Appeal on 6/17/2022.

Hearing Officer: Dr. L. Lynn Hogue

Hearing Date: N/A

Hearing Decision: Hearing Officer grants Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 8/9/2023. The Alliance requests Commissioner Review, 9/7/2023.

Commissioner Review Decision: Affirms Hearing Officer's 8/9/2023 order granting Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 10/6/2023.

DET2022-047 Roswell Surgery Center, L.L.C. Request for Letter of Determination received on 2/18/2022, regarding restructuring a single group practice of physicians.

Agency Decision: Approved on 5/20/2022

Appealed: Georgia Alliance of Community Hospitals (the "Alliance") files Request for Administrative Appeal on 6/17/2022.

Hearing Officer: Dr. L. Lynn Hogue

Hearing Date: N/A

Hearing Decision: Hearing Officer grants Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 8/9/2023. The Alliance requests Commissioner Review, 9/7/2023.

Commissioner Review Decision: Affirms Hearing Officer's 8/9/2023 order granting Resurgens ASCs' Motion for Summary Determination and affirms Department's 5/20/2022 decision, 10/6/2023.

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

Agency Decision: Denied on 7/27/2022

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

Hearing Officer: Melvin M. Goldstein, Esq.

Hearing Date: Pending

DET-ASC2022-021 Athens Orthopedic Clinic Ambulatory Surgery Center-SPARC, LLC Request for Letter of Determination received on 9/16/2022, regarding the establishment of a Single Specialty Ambulatory Surgical Center.

Agency Decision: Approved on 3/15/2023

Appealed: Piedmont Athens Regional Medical Center, Inc. ("PARMC") files Request for Administrative Appeal on 3/31/2023.

Hearing Officer: Melvin M. Goldstein, Esq.

Hearing Date: Pending

Appealed LNRs

none

Appealed CON Projects

2018-072 Braselton ASC, LLC (Hall)

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

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

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

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

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

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

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

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

Requests to Intervene in 2018-073: Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center - Main Campus ("NGMC-Main Campus"), 4/24/2019; Braselton ASC, LLC ("Braselton ASC"), 4/24/2019; Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center-South Hall Campus ("NGMC-South Hall Campus"), 4/24/2019; NGMC Barrow, LLC d/b/a Northeast Georgia Medical Center-Barrow ("NGMC-Barrow"), 4/24/2019; Piedmont Athens Regional Medical Center, Inc. d/b/a Piedmont Athens Regional Medical Center ("Piedmont Athens"), 4/24/2019. Piedmont Athens withdrew Request to Intervene 11/7/19.

Hearing Officer: Melvin M. Goldstein, Esq.

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

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

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

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

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

Supreme Court: Pending

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: 3/8-12/2021, 9:30 A.M. / Remote Video Conference

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. Hearing Officer reverses the Department's decision to grant a CON to Doctors Hospital of Augusta, LLC, 6/23/2021. Doctors requests Commissioner Review, 7/23/2021. The Department requests Commissioner Review, 7/23/2021.

Commissioner Review Decision: Reverses Hearing Officer's 12/8/2020 decision granting AUMC's Motion for Summary Determination or In The Alternative For Remand; remands the matter to the Department to resume proceedings before a Hearing Officer consistent with the CON Administrative Hearing process, 2/5/2021. Reverses Hearing Officer's 6/23/2021 decision to deny a CON to Doctors and reinstates the Department's approval of CON Project No. GA 2020-002, 8/20/2021. AUMC files Petition for Judicial Review, 9/16/2021.

Superior Court of Fulton County: Denies AUMC's Petition for Judicial Review and affirms the Department's approval of CON Project No. GA 2020-002, 12/23/2021. AUMC files Application for Discretionary Review in the Georgia Court of Appeals, 1/18/2022.

Court of Appeals: Grants AUMC's Application for Discretionary Appeal, 2/8/2022. Affirms Superior Court of Fulton County's 12/23/2021 decision and affirms the Department's approval of CON Project No. GA 2020-002, 10/26/2022. AUMC files Motion for Reconsideration, 11/3/2022. Denies AUMC's Motion for Reconsideration, 11/9/2022.

AUMC files Petition for Certiorari in the Georgia Supreme Court, 11/28/2022.

Supreme Court: 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: 11/9-10/2020, 11/12-13/2020, 9:30 A.M. / Remote Video Conference

Hearing Decision: Hearing Officer reverses the Department's decision to grant a CON to Coliseum Medical Centers, 2/25/2021. Coliseum Medical Centers ("Coliseum") files for Commissioner Review, 3/26/2021. The Department requests Commissioner Review, 3/26/2021.

Commissioner Review Decision: Reverses Hearing Officer's 2/25/2021 decision to deny a CON to Coliseum and reinstates the Department's approval of CON Project No. GA 2020-003, 4/26/2021. Houston files Petition for Judicial Review in Superior Court of Houston County, 5/26/2021. The Medical Center files Petition for Judicial Review in Superior Court of Bibb County, 5/26/2021. Peach files Petition for Judicial Review in Superior Court of Peach County, 5/26/2021. Reverses Hearing Officer's 2/25/2021 decision to deny a CON to Coliseum and reinstates the Department's approval of CON Project No. GA 2020-003, 1/27/2023. Houston files Petition for Judicial Review on Remand in Superior Court of Houston County, 2/23/2023. Peach files Petition for Judicial Review on Remand in Superior Court of Peach County, 2/27/2023.

Superior Court of Bibb County: The Medical Center files Notice of Voluntary Dismissal of Petition for Judicial Review, 6/25/2021.

Superior Court of Peach County: Denies Department's Motion to Transfer, 7/22/2021. Grants Peach's Petition for Judicial Review and reverses Commissioner's 4/26/2021 decision, and denies Coliseum's CON, 11/10/2021. The Department files Application for Discretionary Appeal in the Georgia Court of Appeals, 12/10/2021. Coliseum files Application for Discretionary Appeal in the Georgia Court of Appeals, 12/10/2021. Vacates Department's final decision and remands the case to the Department, 11/23/2022. Grants Peach's Petition for Judicial Review on Remand, reverses Commissioner's 1/27/2023 Remand Order, and denies Coliseum's CON application, 7/6/2023. Coliseum files Application for Discretionary Appeal in the Georgia Court of Appeals, 8/4/2023. The Department files Application for Discretionary Appeal in the Georgia Court of Appeals, 8/7/2023.

Superior Court of Houston County: Denies Department's Motion to Transfer, 7/31/2021. Grants Houston's Petition for Judicial Review, reverses Commissioner's 4/26/2021 decision, and denies Coliseum's CON, 11/4/2021. The Department files Application for Discretionary Appeal in the Georgia Court of Appeals, 12/6/2021. Coliseum files Application for Discretionary Appeal in the Georgia Court of Appeals, 12/6/2021. Vacates Department's final decision and remands the case to the Department, 11/22/2022. Grants Houston's Petition for Judicial Review on Remand, reverses Commissioner's 1/27/2023 Remand Order, and denies Coliseum's CON application, 5/25/2023. Coliseum files Application for Discretionary Appeal in the Georgia Court of Appeals, 6/26/2023. The Department files Application for Discretionary Appeal in the Georgia Court of Appeals, 6/26/2023.

Court of Appeals: Grants the Department's Application for Discretionary Appeal, 12/30/2021 (Houston). Grants Coliseum's Application for Discretionary Appeal, 1/4/2022. (Houston). Grants the Department's Application for Discretionary Appeal, 1/7/2022 (Peach). Grants Coliseum's Application for Discretionary Appeal, 1/7/2022 (Peach). Vacates Superior Court of Houston County and Superior Court of Peach County decisions with instructions to remand the case to the Department, 10/26/2022. Grants the Department's Application for Discretionary Appeal, 7/21/2023 (Houston). Grants Coliseum's Application for Discretionary Appeal, 8/28/2023 (Peach). Grants the Department's Application for Discretionary Appeal, 8/28/2023 (Peach).

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

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

2020-004 Construction of Freestanding Emergency Department

2020-005 Construction of Freestanding Emergency Department

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

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

Hearing Officer: David C. Will, Esq.

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

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

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

2020-015 Northside Hospital Gwinnett (Gwinnett)

Establish Hospital-Based Radiation Therapy Services on Campus - Batching

Agency Decision: Approved, 6/16/2020

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

Hearing Officer: Melvin M. Goldstein, Esq.

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

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

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

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

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

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

Supreme Court: Grants NGMC-Main Campus' and NGMC-South Hall's Consolidated Petition for Writ of Certiorari, 7/13/2023. Grants RCOG-Lawrenceville's, RCOG-Snellville's, and Vantage-Lawrenceville's Petitions for Writ of Certiorari, 7/13/2023.

2020-020 University Hospital (Columbia)

Establish a Freestanding Emergency Care Facility

Agency Decision: Approved, 7/21/2020

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

Hearing Officer: David Will, Esq.

Hearing Date: 10/23-27/2023, 11/2/2023, 9:00 A.M. / Remote Video Conference – visit <https://dch.georgia.gov/meetings-notice> for link.

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

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

Agency Decision: Approved, 7/28/2020

Appealed By: Doctors Hospital of Augusta, LLC d/b/a Doctors Hospital of Augusta ("Doctors"), 8/27/2020. University Health Services, Inc. ("University"), 9/3/2020. University McDuffie County Regional Medical Center, Inc. ("University-McDuffie"), 9/3/2020.

Hearing Officer: David C. Will, Esq.

Hearing Date: Continued until further notice

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

Establish Non-Special MegaVoltage Radiation Therapy Service – Batching

Agency Decision: Denied, 6/15/2021

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

Hearing Officer: David C. Will, Esq.

Hearing Date: Pending

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

Add Linear Accelerator – Batching

Agency Decision: Approved, 6/15/2021

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

Hearing Officer: David C. Will, Esq.

Hearing Date: Pending

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

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

Agency Decision: Approved, 6/24/2022

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

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

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

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

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

Superior Court of Hall County: Pending

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

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

Agency Decision: Approved, 6/24/2022

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

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

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

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

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

Superior Court of Hall County: Pending

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

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

Agency Decision: Denied, 9/23/2022

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

Hearing Officer: David C. Will, Esq.

Hearing Date: Pending

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

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

Agency Decision: Denied, 9/23/2022

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

Hearing Officer: David C. Will, Esq.

Hearing Date: Pending

2023-007 EHCA Johns Creek LLC d/b/a Emory Johns Creek Hospital (Fulton)

Establishment of Non-Special MegaVoltage Radiation Therapy Services - Batching

Agency Decision: Denied, 6/16/2023

Appealed By: EHCA John’s Creek, LLC d/b/a Emory John’s Creek Hospital (“EJCH”), 6/27/2023. Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center-Main Campus (“NGMC-Main Campus”) files Request to Intervene, 6/30/2023. Northeast Georgia Medical Center, Inc. d/b/a Northeast Georgia Medical Center-South Hall

("NGMC-South Hall") files Request to Intervene, 6/30/2023.

Hearing Officer: William C. Joy, Esq.

Hearing Date: 12/11-15/2023, 9:00 A.M. / Remote Video Conference

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

Establishment of Non-Special MegaVoltage Radiation Therapy Service – Batching

Agency Decision: Denied, 6/16/2023

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

Hearing Officer: David Will, Esq.

Hearing Date: Pending

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

Addition of PET/CT Unit – Batching

Agency Decision: Approved, 6/16/2023

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

Hearing Officer: David Will, Esq.

Hearing Date: Pending

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

Establish Home Health Service in SSDR 3 - Batching

Agency Decision: Denied, 9/26/2023

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

Hearing Officer: Pending

Hearing Date: Pending

Requests for DET-EQT for Diagnostic or Therapeutic Equipment

DET-EQT2023042 Northside Hospital, Inc. d/b/a Northside Hospital Forsyth

Temporary Usage of Mobile IR Lab

Request received: 7/31/2023

Contact Person: Brian Toporek

Determination: Non-reviewable as proposed **Determination Date:** 10/4/2023

DET-EQT2023043 Hospital Authority of Colquitt County d/b/a Colquitt Regional Medical Center

Acquisition of da Vinci Surgical Robot

Request received: 8/7/2023

Contact Person: Dena Zinker

Determination: Non-reviewable as proposed **Determination Date:** 10/11/2023

DET-EQT2023044 Georgia Pain and Wellness Center, LLC

Purchase Fixed MRI

Request received: 8/11/2023

Contact Person: Joseph R. Ross

Determination: Non-reviewable as proposed **Determination Date:** 10/17/2023

DET-EQT2023045 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta

Acquisition of Below Threshold MRI Unit

Request received: 8/18/2023

Contact Person: Brian Toporek

Determination: Non-reviewable as proposed **Determination Date:** 10/17/2023

DET-EQT2023046 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta

Temporary Usage of Mobile MR Unit

Request received: 8/18/2023

Contact Person: Brian Toporek

Determination: Pending

DET-EQT2023047 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta

Acquisition of CT and MRI Units

Request received: 8/18/2023

Contact Person: Brian Toporek

Determination: Pending

DET-EQT2023048 Kennestone Hospital, Inc. d/b/a Wellstar Kennestone Regional Medical Center

Wellstar Kennestone Mobile MRI Lease

Request received: 8/21/2023

Contact Person: James Satcher

Determination: Pending

DET-EQT2023049 Harbin Clinic, LLC

CT Scanner Floyd County

Request received: 8/22/2023

Contact Person: Kathryn MT Platt

Determination: Pending

DET-EQT2023050 Harbin Clinic, LLC

CT Scanner Bartow County

Request received: 8/22/2023

Contact Person: Kathryn MT Platt

Determination: Pending

DET-EQT2023052 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett

Acquisition of DePuy Velys Robot

Request received: 8/25/2023

Contact Person: Brian Toporek

Determination: Pending

DET-EQT2023053 Medical Center LLP

Lease Fixed CT Scanner

Request received: 8/31/2023

Contact Person: Nannette Mayo

Determination: Non-reviewable as proposed **Determination Date:** 10/31/2023

DET-EQT2023054 Athens Pulmonary and Sleep Medicine, P.C.

Lease of CT Scanner

Request received: 9/6/2023

Contact Person: Michele P. Madison, Esq.

Determination: Pending

DET-EQT2023055 Reagan Medical Center, LLC

Purchase Nuclear Spect Camera

Request received: 9/8/2023

Contact Person: Sabrina Boyd Carroll

Determination: Pending

DET-EQT2023056 Ortho Sport and Spine Physicians

Purchase Fixed MRI

Request received: 9/11/2023

Contact Person: Sean Bajnath

Determination: Pending

DET-EQT2023057 United Obstetrics and Gynecology, LLC d/b/a Howard Center for Women's

Lease Fixed CT Scanner

Request received: 9/13/2023

Contact Person: Joseph R. Ross

Determination: Pending

DET-EQT2023058 South Atlanta Radiology Associates

Purchase Mobile MRI

Request received: 9/14/2023

Contact Person: Tim Baitey
Determination: Pending

DET-EQT2023059 United Obstetrics and Gynecology, LLC d/b/a Howard Center for Women's
Lease Fixed CT Scanner
Request received: 9/15/2023
Contact Person: Joseph R. Ross
Determination: Pending

DET-EQT2023060 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett
Acquisition of CT Simulator
Request received: 9/22/2023
Contact Person: Brian Toporek
Determination: Pending

DET-EQT2023061 Phoebe Putney Memorial Hospital, Inc.
Acquisition of Nuclear Imaging System
Request received: 9/26/2023
Contact Person: Christopher M. Kane
Determination: Pending

DET-EQT2023062 Outpatient Imaging, LLC d/b/a Outpatient Imaging Statesboro
Acquisition of MRI Unit
Request received: 10/2/2023
Contact Person: John Arnold, MD
Determination: Pending

DET-EQT2023063 Augusta Orthopedic Sports Medicine
Purchase Fixed MRI
Request received: 10/4/2023
Contact Person: Richard Pope
Determination: Pending

DET-EQT2023064 Atlanta Allergy & Otolaryngology Center, LLC
Purchase Fixed CT Scanner
Request received: 10/9/2023
Contact Person: Joseph R. Ross
Determination: Pending

DET-EQT2023065 Piedmont Athens Regional Medical Center, Inc.
CT Scanner Relocation
Request received: 10/11/2023
Contact Person: Christine MacEwen
Determination: Pending

DET-EQT2023066 Georgia Brain & Spine Center, PC
Purchase Fixed MRI
Request received: 10/11/2023
Contact Person: Elias Dagnew
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-ASC2023010 Non-Surgical Orthopaedics, P.C.
Establishment of Single Specialty Ambulatory Surgical Center
Site: 335 Roseland Street, Suite 100, Marietta, GA 30060
Number of OR's: 1 **Specialty:** Physiatry
Project costs as submitted: \$0.00
Request received: 3/31/2023
Contact Person: Anthony R. Grasso

Determination: Approved

Determination Date: 10/10/2023

DET-ASC2023013 Non-Surgical Orthopaedics, P.C.

Establishment of Single Specialty Ambulatory Surgical Center

Site: 1301 Sigman Road, Suite 120, Conyers, GA 30012

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

Project costs as submitted: \$0.00

Request received: 5/13/2023

Contact Person: Anthony R. Grasso

Determination: Pending

DET-ASC2023018 Sleep and Sinus Centers ASC, LLC

Establishment of Single Specialty Ambulatory Surgical Center

Site: 1990 Riverside Parkway, Suite 200, Lawrenceville, GA 30043

Number of OR's: 1 **Specialty:** Otolaryngology

Project costs as submitted: \$2,299,461.99

Request received: 8/23/2023

Contact Person: Joseph R. Ross

Determination: Approved

Determination Date: 10/23/2023

DET-ASC2023020 Limbs Vascular Interventions ASC, LLC

Establishment of Single Specialty Ambulatory Surgical Center

Site: 1825 Highway 34 East, Suite 3400-A, Newnan, GA 30265

Number of OR's: 1 **Specialty:** Cardiovascular Disease

Project costs as submitted: \$2,100,493.85

Request received: 8/30/2023

Contact Person: Michael P. Britain

Determination: Pending

DET-ASC2023021 Northside Hospital, Inc. d/b/a Northside Hospital Cherokee

Establishment of Joint Venture ASC in Canton Georgia

Site: 1521 Hickory Flat Highway, Suite 201, Canton, GA 30115

Number of OR's: 2 **Specialty:** Orthopedic Surgery

Project costs as submitted: \$7,472,623.57

Request received: 8/31/2023

Contact Person: Brian Toporek

Determination: Pending

DET-ASC2023022 Northside Hospital, Inc. d/b/a Northside Hospital Gwinnett and Total Joint Specialists

Establishment of Joint Venture Ambulatory Surgery Center

Site: 2800 Buford Drive, Suite 400, Lawrenceville, GA 30519

Number of OR's: 2 **Specialty:** Orthopedic Surgery

Project costs as submitted: \$8,419,999.39

Request received: 9/22/2023

Contact Person: Brian Toporek

Determination: Pending

DET-ASC2023023 ReVive Orthopedics, Spine & Sports Surgery Center, Inc.

Establishment of Single Specialty Ambulatory Surgical Center

Site: 939 Bob Arnold Boulevard, Suite A, Lithia Springs, GA 30122

Number of OR's: 1 **Specialty:** Orthopedic Surgery

Project costs as submitted: \$1,997,142.00

Request received: 9/25/2023

Contact Person: Clifton Richards

Determination: Pending

DET-ASC2023024 Southern Bone & Joint Ambulatory Surgical Center, Inc. and Perimeter Outpatient Surgical Associates

Establishment of Single Specialty Ambulatory Surgical Center

Site: 5673 Peachtree Dunwoody Rd., Suite 800, Atlanta, GA 30342

Number of OR's: 2 **Specialty:** Orthopedic Surgery
Project costs as submitted: \$0.00
Request received: 10/20/2023
Contact Person: Elliott Coward
Determination: Pending

Requests for Miscellaneous Letters of Determination

DET2023102 Center for Advanced Research & Education, LLC

Acquisition for Purposes not Covered by CON

Request received: 5/16/2023

Contact Person: Victor Moldovan

Determination: Denied

Determination Date: 10/10/2023

DET2023137 Radiotherapy Clinics of Georgia

Linac Replacement

Request received: 7/6/2023

Contact Person: Kathryn MT Platt

Determination: Pending

DET2023141 American Health Imaging of Georgia, LLC (Replace MRI)

Replace CON-Approved MRI

Request received: 7/23/2023

Contact Person: Dan Balentine

Determination: Non-reviewable as proposed

Determination Date: 10/24/2023

DET2023142 American Health Imaging of Georgia, LLC (Replace CT)

Replace CON-Approved CT

Request received: 7/23/2023

Contact Person: Dan Balentine

Determination: Non-reviewable as proposed

Determination Date: 10/24/2023

DET2023143 American Health Imaging of Georgia, LLC (Relocation)

Relocate Existing CON Imaging Center

Request received: 7/23/2023

Contact Person: Dan Balentine

Determination: Non-reviewable as proposed

Determination Date: 10/20/2023

DET2023144 Piedmont Rockdale Hospital, Inc.

Consolidation of Existing Infusion Services

Request received: 7/24/2023

Contact Person: Christine MacEwen

Determination: Non-reviewable as proposed

Determination Date: 10/5/2023

DET2023146 University Cancer & Blood Center, LLC and East Georgia Radiation Holding

Relocate DTRC Radiation Therapy Services

Request received: 7/28/2023

Contact Person: Kathryn MT Platt

Determination: Non-reviewable as proposed

Determination Date: 10/6/2023

DET2023147 University Cancer & Blood Center, LLC and East Georgia Radiation Holding

Replacement of Linear Accelerator

Request received: 7/28/2023

Contact Person: Kathryn MT Platt

Determination: Non-reviewable as proposed

Determination Date: 10/10/2023

DET2023148 UCBC Athens, LLC

Develop Medical Office Building

Request received: 7/28/2023

Contact Person: Kathryn MT Platt

Determination: Non-reviewable as proposed

Determination Date: 10/5/2023

DET2023150 Therapeutic Gastrointestinal Endoscopy, LLC

GI Endoscopy Center CON Exemption Request

Request received: 8/1/2023

Contact Person: Everette Jenkins

Determination: Non-reviewable as proposed **Determination Date:** 10/4/2023

DET2023151 Rome Imaging Center Limited Partnership d/b/a Rome Imaging Center

Replace CON-Approved PET Scanner

Request received: 8/2/2023

Contact Person: Daniel J. Monahan

Determination: Non-reviewable as proposed **Determination Date:** 10/4/2023

DET2023152 Liberty Regional Medical Center, Inc.

Establishment of Wound Care Treatment Center

Request received: 8/2/2023

Contact Person: Michele P. Madison, Esq.

Determination: Non-reviewable as proposed **Determination Date:** 10/24/2023

DET2023153 Piedmont Mountainside Hospital, Inc.

Consolidation of Existing Outpatient Services

Request received: 8/7/2023

Contact Person: Christine MacEwen

Determination: Pending

DET2023154 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta

Below Threshold Expenditures Related to GI Room

Request received: 8/11/2023

Contact Person: Brian Toporek

Determination: Non-reviewable as proposed **Determination Date:** 10/11/2023

DET2023155 Surgery Center of Columbia County, LLC

ASC Relocation

Request received: 8/17/2023

Contact Person: Kathryn MT Platt

Determination: Pending

DET2023156 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta

Below-Threshold Expenditures to Build Out Relocated Imaging Center

Request received: 8/18/2023

Contact Person: Brian Toporek

Determination: Non-reviewable as proposed **Determination Date:** 10/17/2023

DET2023157 Pediatric Services of America, LLC d/b/a Aveanna Healthcare

Physical Relocation in Same County

Request received: 8/18/2023

Contact Person: Kate Speer

Determination: Non-reviewable as proposed **Determination Date:** 10/17/2023

DET2023158 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta

Transfer of HDR Equipment

Request received: 8/18/2023

Contact Person: Brian Toporek

Determination: Non-reviewable as proposed **Determination Date:** 10/25/2023

DET2023159 Summit Endoscopy Center, LLC

Establishment of Endoscopy Center

Request received: 8/18/2023

Contact Person: Gaye Pennington

Determination: Non-reviewable as proposed **Determination Date:** 10/17/2023

DET2023160 Emeritus Corporation

Conversion of Personal Care Home to Assisted Living

Request received: 8/21/2023

Contact Person: Sharon Plunkett

Determination: Non-reviewable as proposed **Determination Date:** 10/16/2023

DET2023161 Augusta Urology Surgicenter, LLC

Addition of Urological Gynecological Procedures to LNR

Request received: 8/23/2023

Contact Person: Anissa Cooper

Determination: Withdr/Appl Prior to Dec

Date of Withdrawal: 10/19/2023

DET2023162 Cobb Hospital, Inc. d/b/a Wellstar Cobb Hospital

Wellstar Cobb Hospital Replacement of CON-Authorized Linear Accelerator

Request received: 8/28/2023

Contact Person: James Satcher

Determination: Non-reviewable as proposed **Determination Date:** 10/25/2023

DET2023163 West Georgia Medical Center, Inc. d/b/a Wellstar West Georgia Medical Center

Wellstar West Georgia Lab Outreach HOD

Request received: 8/28/2023

Contact Person: James Satcher

Determination: Pending

DET2023164 West Georgia Medical Center, Inc. d/b/a Wellstar West Georgia Medical Center

Wellstar West Georgia Relocation of Outpatient Rehab HOD

Request received: 8/28/2023

Contact Person: James Satcher

Determination: Pending

DET2023165 Douglasville AL Investors, LLC

Addition of Beds to Existing Assisted Living Community

Request received: 8/29/2023

Contact Person: Amber Mufale

Determination: Non-reviewable as proposed **Determination Date:** 10/27/2023

DET2023166 Atlanta Oculoplastic Surgery, P.C.

Confirmation of Correct Specialty for LNR-Authorized ASC

Request received: 8/29/2023

Contact Person: Brian Looby

Determination: Pending

DET2023167 Alliance Healthcare Services/Akumin

Mobile PET/CT Unit for CON-Approved Georgia Providers

Request received: 8/29/2023

Contact Person: Tina Hinshaw

Determination: Pending

DET2023168 Walker Medical Investors, LLC

Construction of Personal Care Home

Request received: 9/5/2023

Contact Person: Franklin Farrow

Determination: Non-reviewable as proposed **Determination Date:** 10/11/2023

DET2023169 Cobb Hospital, Inc. d/b/a Wellstar Cobb Hospital

Wellstar Cobb Hospital HDR Vault and Equipment

Request received: 9/7/2023

Contact Person: James Satcher

Determination: Pending

DET2023170 Kennestone Hospital, Inc. d/b/a Wellstar Kennestone Regional Medical Center

Wellstar Kennestone Relocation of Level III NICU Beds

Request received: 9/8/2023

Contact Person: James Satcher

Determination: Pending

DET2023171 Paulding Medical Center, Inc. d/b/a Wellstar Paulding Medical Center
Wellstar Paulding Replacement of CON-Authorized Linear Accelerator
Request received: 9/8/2023
Contact Person: James Satcher
Determination: Pending

DET2023172 The Medical Center, Inc. d/b/a Piedmont Columbus Regional Midtown
Replacement of CON-Authorized Linear Accelerator
Request received: 9/11/2023
Contact Person: Christine MacEwen
Determination: Pending

DET2023173 Fayette Community Hospital, Inc. d/b/a Piedmont Fayette Hospital
Renovation for New Mammography System
Request received: 9/11/2023
Contact Person: Christine MacEwen
Determination: Pending

DET2023174 EHCA Johns Creek, LLC d/b/a Emory Johns Creek Hospital
Surgery Waiting Room and Administrative Offices Renovation
Request received: 9/12/2023
Contact Person: Laurie Hansen
Determination: Pending

DET2023175 Memorial Health University Medical Center
MHUMC OR 3 & 4 Equipment Upgrades
Request received: 9/12/2023
Contact Person: Brian Gaskin
Determination: Pending

DET2023176 Cobb Hospital, Inc. d/b/a Wellstar Cobb Hospital
Wellstar Cobb Hospital DET for 10% Additional Capacity
Request received: 9/13/2023
Contact Person: James Satcher
Determination: Pending

DET2023177 Hamilton Medical Center, Inc.
Pharmacy Renovation
Request received: 9/18/2023
Contact Person: Danny Wright
Determination: Pending

DET2023178 Piedmont Henry Hospital, Inc. d/b/a Piedmont Henry Hospital
Renovation of C-Section Rooms at Piedmont Henry Hospital
Request received: 9/19/2023
Contact Person: Christine MacEwen
Determination: Pending

DET2023179 Veritas Collaborative Georgia LLC
Veritas Collaborative Georgia LLC Bed Increase Determination Request
Request received: 9/21/2023
Contact Person: Kristin Surdick
Determination: Pending

DET2023180 Prime Healthcare Foundation - Southern Regional, LLC
Renovations of Cystoscopy Room
Request received: 9/21/2023
Contact Person: Ela Lena
Determination: Pending

DET2023181 Spivey Crossing Development LLC
Re-Opening of Existing Memory Care Assisted Living Community
Request received: 9/22/2023

Contact Person: Christina Oxford
Determination: Pending

DET2023182 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta
Pharmacy Renovations
Request received: 9/22/2023
Contact Person: Brian Toporek
Determination: Pending

DET2023184 AU Medical Center, Inc.
AU Medical Center CMS-Approved Acute Care at Home Services
Request received: 10/2/2023
Contact Person: James Satcher
Determination: Pending

DET2023185 Tattnall Hospital Company, LLC d/b/a Optim Medical Center-Tattnall
Renovations and Additions to Existing Hospital Facilities
Request received: 10/3/2023
Contact Person: Joseph R. Ross
Determination: Pending

DET2023186 Phoebe Putney Memorial Hospital, Inc.
Replacement of CON-Approved PET/CT Unit
Request received: 10/4/2023
Contact Person: Christopher M. Kane
Determination: Pending

DET2023187 University Health Services, Inc. d/b/a Piedmont Augusta Hospital
Replacement of Cardiac Catheterization Equipment
Request received: 10/12/2023
Contact Person: Christine MacEwen
Determination: Pending

DET2023188 Piedmont Newton Hospital, Inc.
Relocation of Cardiac Rehab
Request received: 10/12/2023
Contact Person: Christine MacEwen
Determination: Pending

DET2023189 HLTC, Inc.
Bed Relocation
Request received: 10/18/2023
Contact Person: Sandy McKenzie
Determination: Pending

DET2023190 Grady Health System
Grady Helipad - Building A
Request received: 10/19/2023
Contact Person: GEORGE SMITH
Determination: Pending

DET2023191 Northside Hospital, Inc. d/b/a Northside Hospital Forsyth
Capital Expenditures Related to Surgery Suites
Request received: 10/20/2023
Contact Person: Brian Toporek
Determination: Pending

DET2023192 Northside Hospital, Inc. d/b/a Northside Hospital Cherokee
Expenditures for Non-Clinical Project
Request received: 10/24/2023
Contact Person: Brian Toporek
Determination: Pending

DET2023193 Northside Hospital, Inc. d/b/a Northside Hospital Forsyth
Capital Expenditures Below Threshold for Cardiovascular Diagnostic Center
Request received: 10/26/2023
Contact Person: Brian Toporek
Determination: Pending

DET2023194 Northside Hospital, Inc. d/b/a Northside Hospital Atlanta
Exempt Expenditures for Adult Cardiac Cath in Hospital Setting
Request received: 10/27/2023
Contact Person: Brian Toporek
Determination: Pending

DET2023195 The Emory Clinic, Inc. d/b/a LaGrange Surgery Center
Operations During Safety Repairs
Request received: 10/27/2023
Contact Person: Anthony Masciotra
Determination: Pending

DET2023196 Richmond Healthcare Properties, Inc.
Addition of Kidney Dialysis Unit
Request received: 10/30/2023
Contact Person: Connor Seim
Determination: Pending

DET2023197 The Medical Center of Central Georgia, Inc. d/b/a The Medical Center, Navicent
Replacement of Existing CON Approved Cath Lab
Request received: 10/30/2023
Contact Person: Kathryn MT Platt
Determination: Pending

DET2023198 The Medical Center of Central Georgia, Inc. d/b/a The Medical Center, Navicent
Replacement of IR Lab
Request received: 10/30/2023
Contact Person: Kathryn MT Platt
Determination: Pending

Requests for Extended Implementation/Effective Period

none

Need Projection Analyses Posted 9/29/2023

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

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

2028 Non-Special MRT Need Projection – Posted 6/22/2023

2028 PET Need Projection – Posted 6/22/2023

2028 Ambulatory Surgical Services Need Projection by HPA– Posted 9/29/2023

2028 Inpatient Physical Rehabilitation Need Projections – Posted 9/29/2023

2028 Neonatal Intermediate Care Bed Need Projection – Posted 9/29/2023

2028 Neonatal Intensive Care Bed Need Projection – Posted 9/29/2023

2028 Obstetric Services Bed Need Projection – Posted 9/29/2023

2026 Nursing Home Bed Need Projection – Posted 9/29/2023

Non-Batched Need Projections

2027 Long Term Care Hospital Beds - 5/4/2022

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.

Indigent and Charity Care Shortfalls

Facilities with Indigent and Charity Care Commitment Shortfalls for Most Recent 3 Years (Commitment status as of (10/31/2023))

Facility Name	County	Year	Shortfall Due	Service
Apex Medical Surgery Center, LLC	Troup	2020	11,890.18	Ambulatory Surgery Center
ASC of Georgia Dermatologic Surgery Centers, LLC	FULTON	2018	6,924.20	Ambulatory Surgery Center
ASC of Georgia Dermatologic Surgery Centers, LLC	FULTON	2020	20,921.12	Ambulatory Surgery Center
Asuch Surgery Center	Cobb	2018	6,963.30	Ambulatory Surgery Center
Asuch Surgery Center	Cobb	2020	5,055.30	Ambulatory Surgery Center
Brookstone Ambulatory Surgery Center	Muscogee	2018	24,770.12	Ambulatory Surgery Center
Brookstone Ambulatory Surgery Center	Muscogee	2019	17,302.68	Ambulatory Surgery Center
Brookstone Ambulatory Surgery Center	Muscogee	2020	17,170.24	Ambulatory Surgery Center
Center For Spine And Pain Medicine, PC	Hall	2018	101,669.68	Ambulatory Surgery Center
Chatham Orthopaedic Surgery Center	Chatham	2018	23,869.26	Ambulatory Surgery Center
Cobblestone Surgery Center, Inc	Cobb	2020	5,803.60	Ambulatory Surgery Center
Foot & Ankle Surgery Ctr, Llc, The	MUSCOGEE	2018	6,322.74	Ambulatory Surgery Center
G.I. Endoscopy Center	CLAYTON	2018	27,806.73	Ambulatory Surgery Center
GA Urology, PA Cobb Ambulatory Surgery Center	Cobb	2018	15,443.22	Ambulatory Surgery Center
GA Urology, PA Cobb Ambulatory Surgery Center	Cobb	2019	11,678.86	Ambulatory Surgery Center
GA Urology, PA Cobb Ambulatory Surgery Center	Cobb	2020	18,778.50	Ambulatory Surgery Center
Gainesville Surgery Center, LP	Hall	2019	49,771.81	Ambulatory Surgery Center
Gainesville Surgery Center, LP	Hall	2020	116,819.45	Ambulatory Surgery Center
Gastro Specialists Endoscopy Center, LLC	DEKALB	2020	10,043.62	Ambulatory Surgery Center
Georgia Interventional Pain	Gwinnett	2018	61,218.12	Ambulatory Surgery Center
Georgia Urology, P.A.	Forsyth	2018	17,314.92	Ambulatory Surgery Center
Georgia Urology, P.A.	Forsyth	2019	18,706.26	Ambulatory Surgery Center
Georgia Urology, P.A.	Forsyth	2020	26,176.86	Ambulatory Surgery Center
Georgia Urology, PA Cumming Ambulatory Surgery Ctr	Forsyth	2020	44,850.66	Ambulatory Surgery Center
LASER SPINE & PAIN CENTERS LLC	Carroll	2020	20,255.96	Ambulatory Surgery Center
Midtown Surgery Center	Muscogee	2020	63,270.60	Ambulatory Surgery Center
Neurological Institute Ambulatory Surgery Center,	Chatham	2020	73,673.36	Ambulatory Surgery Center
Northwest Ga Orthopaedic Sc	COBB	2018	654,446.86	Ambulatory Surgery Center
Piedmont Surgery Center	BIBB	2018	75.49	Ambulatory Surgery Center
Piedmont Surgery Center	BIBB	2020	21,481.58	Ambulatory Surgery Center
Ponce De Leon Surgery Center, LLC	Fulton	2018	52.82	Ambulatory Surgery Center
Premier Ambulatory Surgical Center, LLC	Cobb	2018	6,380.46	Ambulatory Surgery Center

Roswell Pain Surgical Center, LLC	Cobb	2018	38.20	Ambulatory Surgery Center
Roswell Pain Surgical Center, LLC	Cobb	2020	128.00	Ambulatory Surgery Center
Salubrious ASC	Cherokee	2020	6,847.78	Ambulatory Surgery Center
Stephen Lober Plastic Surgery	Clarke	2019	6,747.60	Ambulatory Surgery Center
Surgery Center at Cypress Pointe, LLC	Tift	2018	28,384.44	Ambulatory Surgery Center
The Graivier Center	FULTON	2020	11,457.50	Ambulatory Surgery Center
Thomas Eye Surgery Center	FULTON	2018	284,219.98	Ambulatory Surgery Center
Windward Surgery Center LLC	FULTON	2019	2,096.78	Ambulatory Surgery Center
Windward Surgery Center LLC	FULTON	2020	13,682.72	Ambulatory Surgery Center
Guardian Home Care of Central Georgia	Oconee	2018	14,005.19	Home Health Agency
Guardian Home Care of Central Georgia	Oconee	2019	36,925.98	Home Health Agency
Guardian Home Care of Central Georgia	Oconee	2020	37,167.55	Home Health Agency
Guardian Home Care of Northeast Georgia, LLC	Hall	2018	65,355.87	Home Health Agency
Guardian Home Care of Northeast Georgia, LLC	Hall	2019	87,009.07	Home Health Agency
Guardian Home Care of Northeast Georgia, LLC	Hall	2020	95,776.95	Home Health Agency
Guardian Home Care, LLC	Fulton	2018	214,201.47	Home Health Agency
Guardian Home Care, LLC	Fulton	2019	250,997.91	Home Health Agency
Guardian Home Care, LLC	Fulton	2020	170,668.38	Home Health Agency
Central Georgia PET, LLC	Bibb	2019	5,983.45	PET Services
Central Georgia PET, LLC	Bibb	2020	3,815.50	PET Services
Central Georgia Radiation Oncology Center - Houston	Houston	2020	83,479.48	Radiation Therapy
Piedmont Henry Radiation Oncology at Riverdale, LLC	Clayton	2019	481,172.16	Radiation Therapy
Piedmont Henry Radiation Oncology at Riverdale, LLC	Clayton	2020	220,677.84	Radiation Therapy
Vantage Oncology Cancer Center at Lawrenceville	Gwinnett	2020	1,106.83	Radiation Therapy
Vantage Oncology Center at Blairsville	Union	2020	7,177.04	Radiation Therapy

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. If an administrative hearing has been requested to dispute a shortfall pursuant to the provisions of the Administrative Procedure Act. O.C.G.A. § 50-13-1 et seq., information will be provided at <https://dch.georgia.gov/meetings-notices> as it becomes available.

NEW CERTIFICATE OF NEED FILING REQUIREMENTS

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

Letters of Intent

O.C.G.A. § 31-6-40(b) provides that:

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

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

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

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

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

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

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

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

Instructions for Organization of Appendices

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

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

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

Determining Completeness

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

Batching Review

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

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

Batching Notifications— *Posted 9/29/2023 on DCH Website* Fall 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.

[Home Health](#)

[Skilled Nursing
Facilities/Intermediate Care Facilities](#)

[Ambulatory Surgery](#)

[Obstetrical Services](#)

[Neonatal Intensive Care](#)

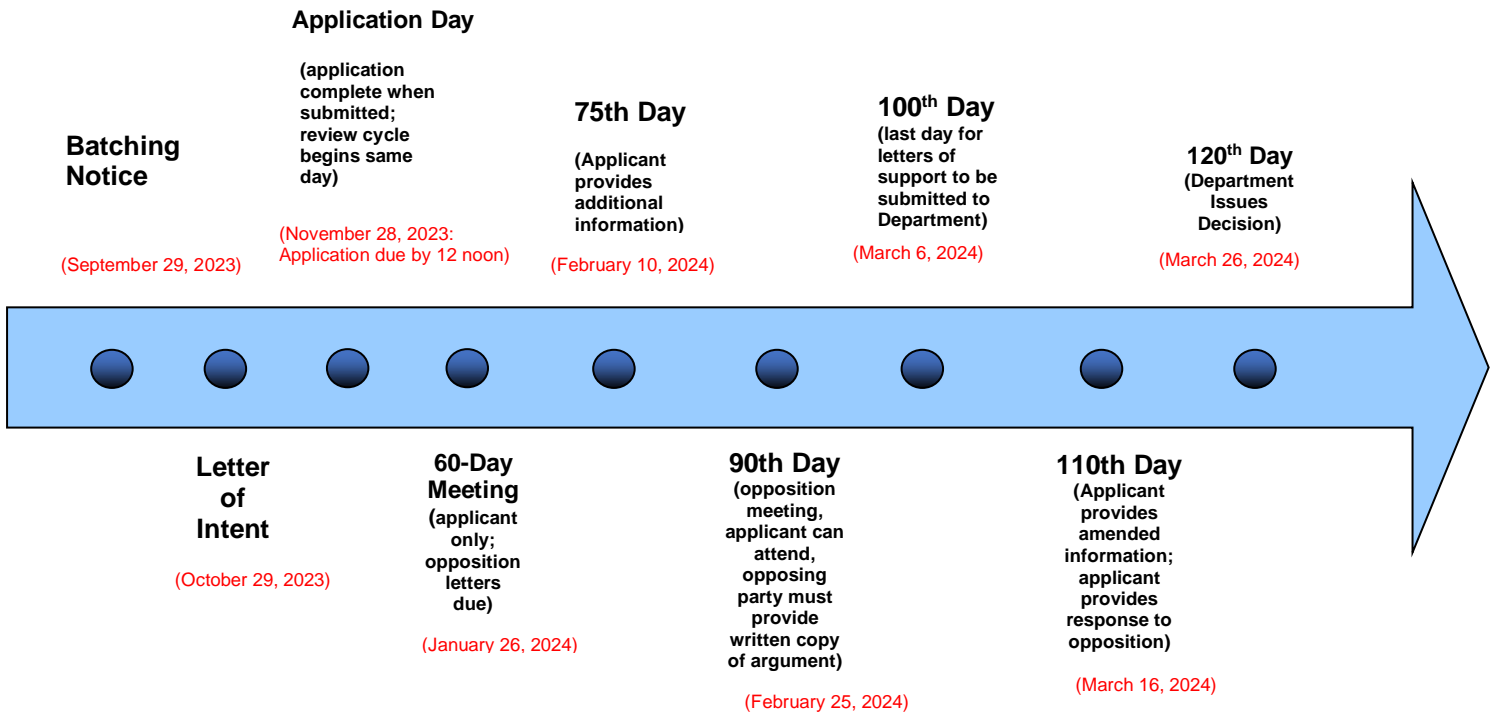
[Inpatient Rehabilitation](#)

[Neonatal Intermediate Care](#)

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

BATCHED APPLICATIONS: SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES

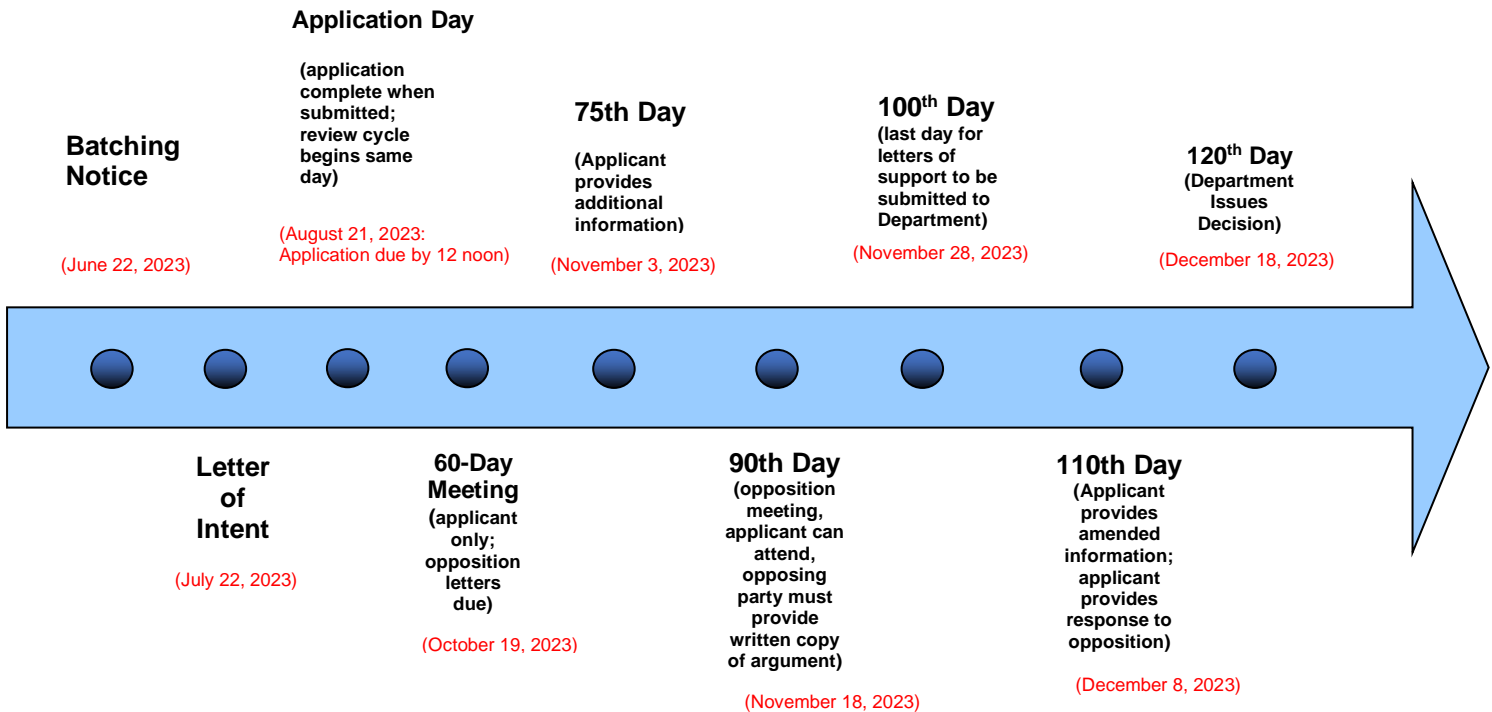
FALL CYCLE



- ▶ 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)
- ▶ 75th day – applicant provides additional information
- ▶ 90th day – Opposition Meeting(s) scheduled; applicant can be in attendance; opposing parties must submit the written statement of opposition arguments presented to the Department via the online web portal and provide a 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)

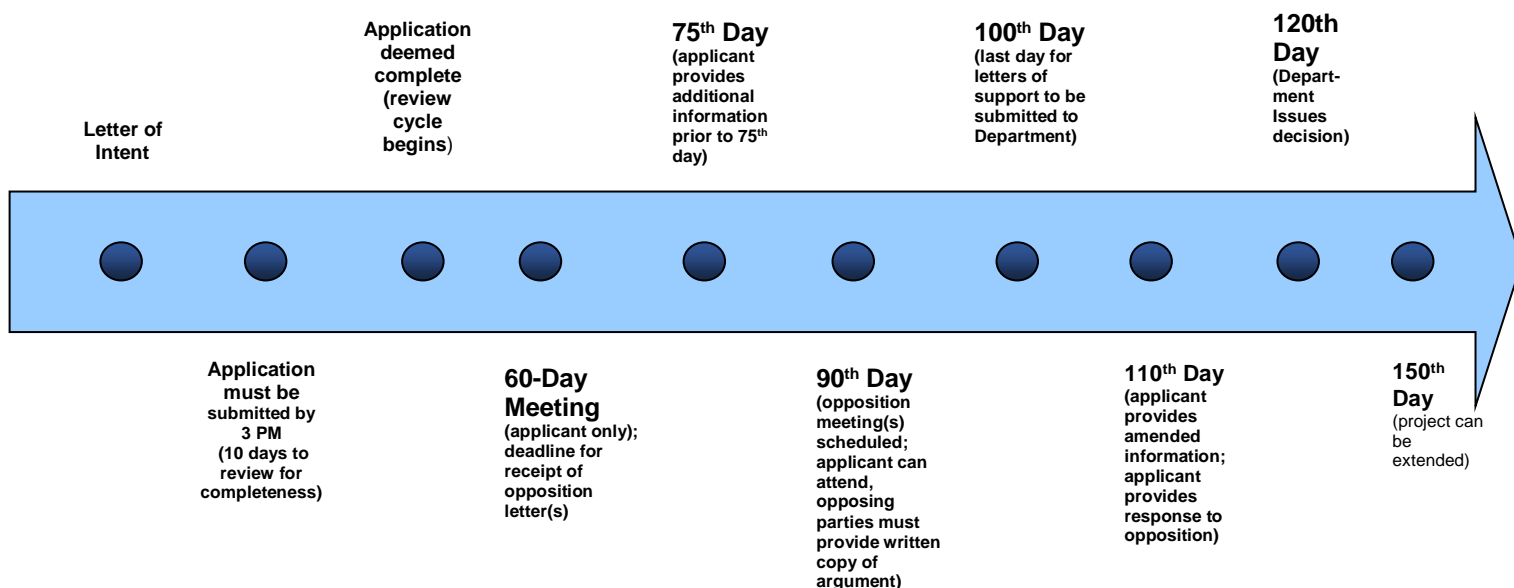
BATCHED APPLICATIONS: SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES

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)
- ▶ 75th day – applicant provides additional information
- ▶ 90th day – Opposition Meeting(s) scheduled; applicant can be in attendance; opposing parties must submit the written statement of opposition arguments presented to the Department via the online web portal and provide a 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)

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)
- ▶ 75th day - applicant provides additional information prior to 75th day
- ▶ 90th day – Opposition Meeting(s) scheduled; applicant can be in attendance; opposing parties must submit the written statement of opposition arguments presented to the Department via the online web portal and provide a 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; applicant deadline for providing written response to Department's inquiries subsequent to opposition meeting
- ▶ 120th day Decision issued (Department has discretion to extend to 150th day)

Office of Health Planning Contact Information

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

For questions concerning pending Certificate of Need applications please contact Bruce
Henderson, Compliance Specialist Supervisor
(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)

For all other CON-related questions or inquiries, please email OHP.Help@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 will be accepted only on the applicable form and will also require a \$250.00 filing fee. Note: Requests for confirmation of the exemptions for a single specialty ambulatory surgical center or a joint venture ambulatory surgical center below the threshold require a \$250.00 filing fee.

Requirements for Verification of Lawful Presence within the United States

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

Periodic Reporting Requirements

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

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

Special Note

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

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

Open Record Requests

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

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

The ORR Form found there should be emailed to HealthPlanningInfo@dch.ga.gov

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.

DET-ASC Requests

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

CERTIFICATE OF NEED APPEAL PANEL

Daniel Wright McLeod
(Chair, appointed on November 23, 2020)

David C. Will
(Appointed on May 17, 2021)

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

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

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

IMPORTANT NOTICE RELATED TO REQUESTS FOR ADMINISTRATIVE APPEAL

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

IMPORTANT NOTICE RELATED TO ELECTRONIC FILINGS

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

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

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

IMPORTANT NOTICE RELATED TO RECENTLY ADOPTED RULES

The following rules have been adopted by the Board of Community Health and implemented by the Georgia Secretary of State, effective March 31, 2022.

111-2-1-.01 Definitions
111-2-1-.02 Health Planning Functions of the Department

The above may be accessed here: <https://dch.georgia.gov/document/document/final-health-planning-administration-111-2-1-rules-sos/download>

The following rules have been adopted by the Board of Community Health and implemented by the Georgia Secretary of State, effective March 31, 2022.

111-2-2-.01 Definitions
111-2-2-.02 Nature of Certificate of Need
111-2-2-.03 Exemptions from Review
111-2-2-.04 Periodic Reports
111-2-2-.05 Enforcement
111-2-2-.06 Application for Certificate of Need
111-2-2-.07 Review Procedures
111-2-2-.08 Alternative Application and Review Procedures
111-2-2-.09 General Review Considerations
111-2-2-.10 Determinations
111-2-2-.11 Service-Specific Review Considerations Generally
111-2-2-.12 Reserved
111-2-2-.13 Reserved

111-2-2-.14 Reserved
111-2-2-.15 Reserved
111-2-2-.16 Reserved
111-2-2-.17 Reserved
111-2-2-.18 Reserved
111-2-2-.19 Reserved
111-2-2-.20 Specific Review Considerations for Short-Stay General Hospital Beds
111-2-2-.21 Specific Review Considerations for Adult Cardiac Catheterization Services
111-2-2-.22 Specific Review Considerations for Adult Open Heart Surgery Services
111-2-2-.23 Specific Review Considerations for Pediatric Cardiac Catheterization and Open
Heart Surgery
111-2-2-.24 Specific Review Considerations for Perinatal Services
111-2-2-.25 Specific Review Considerations for Freestanding Birthing Centers
111-2-2-.26 Specific Review Considerations for Psychiatric and Substance Abuse Inpatient
Programs
111-2-2-.27 Reserved
111-2-2-.28 Reserved
111-2-2-.29 Reserved
111-2-2-.30 Specific Review Considerations for Skilled Nursing and Intermediate Care Facilities
111-2-2-.31 Specific Review Considerations for Personal Care Homes
111-2-2-.32 Specific Review Considerations for Home Health Services
111-2-2-.33 Specific Review Considerations for Life Plan Community (LPC) Sheltered Nursing
Facilities
111-2-2-.34 Specific Review Considerations for Traumatic Brain Injury
111-2-2-.35 Specific Review Considerations for Comprehensive Inpatient Physical
Rehabilitation Services
111-2-2-.36 Specific Review Considerations for Long Term Care Hospitals
111-2-2-.37 Reserved
111-2-2-.38 Reserved
111-2-2-.39 Reserved
111-2-2-.40 Specific Review Considerations for Ambulatory Surgery Services
111-2-2-.41 Specific Review Considerations for Positron Emission Tomography Units
111-2-2-.42 Specific Review Considerations for MegaVoltage Radiation Therapy Services/Units
111-2-2-.43 Repealed

The above may be accessed here: <https://dch.georgia.gov/document/document/health-planning-certificate-need-111-2-2-rules-final-adoption-rev-v2/download>