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Office of Health Planning



GEORGIA DEPARTMENT
OF COMMUNITY HEALTH

CERTIFICATE OF NEED

Tracking And Appeals Report

September 27, 2017 – October 3, 2017

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

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

www.GaMap2Care.info

Letters of Intent

LOI2017053 WellStar Douglas Hospital

Upgrade Rooms and Facilities for Provision of Obstetrics Services

Received: 9/8/2017

Application must be submitted on: 10/9/2017

Site: 8954 Hospital Drive, Douglasville, GA 30134 (Douglas County)

Estimated Cost: \$8,300,000

LOI2017054 WellStar Cobb Hospital

Renovate Patient Rooms and Relocate Certain ICU Rooms

Received: 9/8/2017

Application must be submitted on: 10/9/2017

Site: 3950 Austell Rd SW, Austell, GA 30106 (Cobb County)

Estimated Cost: \$16,600,000

LOI2017055 Piedmont Newnan Hospital

Proposal to Add 18 Acute Inpatient Beds

Received: 9/15/2017

Application must be submitted on: 10/16/2017

Site: 745 Poplar Rd, Newnan, GA 30265 (Coweta County)

Estimated Cost: \$8,160,000

LOI2017056 Comprehensive Care Center at Camp Creek

Establishment of Diagnostic Center in MOB at Camp Creek

Received: 9/22/2017

Application must be submitted on: 10/23/2017

Site: 3896 Princeton Lakes Way, Atlanta, GA 30331 (Fulton County)

Estimated Cost: \$13,000,000

LOI2017057 Emory Saint Joseph's Hospital

Purchase/Install Incremental Outpatient MRI Scanner

Received: 9/25/2017

Application must be submitted on: 10/25/2017

Site: 5665 Peachtree Dunwoody Road NE, Atlanta, GA 30342 (Fulton County)

Estimated Cost: \$2,500,000

Expired Letters of Intent

none

New CON Applications

none

Withdrawn CON Applications

2017-027 American Health Imaging of Macon

Development of a Multi-Modality Imaging Center

Filed: 4/17/2017 Deemed Incomplete: 4/28/2017 Deemed Complete: 5/17/2017

60th Day Deadline: 7/15/2017

Decision Deadline: 9/13/2017

WITHDRAWN: 9/13/2017

Site: 712 Riverside Drive, Macon, GA 31201 (Bibb County)

Contact: Scott Arant, Pres., CEO 404-296-5887

Estimated Cost: \$2,293,068

2017-033 Optim Surgery Center

Convert Existing Procedure Room into Additional OR - Batching

Filed: 5/30/2017 Deemed Complete: 5/30/2017

60th Day Deadline: 7/28/2017

Decision Deadline: 9/26/2017

WITHDRAWN: 9/26/2017

Site: 210 East DeRenne Avenue, Savannah, GA 31405 (Chatham County)
Contact: David Castleberry, CEO 912-644-5370
Estimated Cost: \$681,648

Pending Review/Incomplete Applications

none

Pending Review/Complete Applications

2017-028 WellStar Kennestone Hospital

Acquisition of a da Vinci Xi Robotic Surgical System

Filed: 5/17/2017 **Deemed Incomplete:** 5/31/2017 **Deemed Complete:** 6/8/2017

60th Day Deadline: 8/6/2017

Decision Deadline: 10/5/2017

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

Contact: April Austin, Strategic Planning Mgr. 470-644-0057

Estimated Cost: \$1,985,000

2017-029 WellStar Atlanta Medical Center - South Campus

Replacement of a da Vinci Si-e Robotic Surgical System

Filed: 5/17/2017 **Deemed Incomplete:** 5/31/2017 **Deemed Complete:** 6/8/2017

60th Day Deadline: 8/6/2017

Decision Deadline: 10/5/2017

Site: 1170 Cleveland Avenue, East Point, GA 30344 (Fulton County)

Contact: April Austin, Strategic Planning Mgr. 470-644-0057

Estimated Cost: \$1,985,000

2017-030 Lee County Medical Center Opposition Filed

Establishment of a 60-Bed, Short-Stay General Hospital

Filed: 5/18/2017 **Deemed Incomplete:** 6/1/2017 **Deemed Complete:** 7/19/2017

60th Day Deadline: 9/16/2017

Decision Deadline: 11/15/2017

Site: 270 Grand Island Drive, Albany, GA 31707 (Lee County)

Contact: G. Edward Alexander, Pres., CEO 615-289-9896

Estimated Cost: \$122,238,451

2017-031 Northeast Georgia Medical Center - South Hall Campus

Establishment of Electrophysiology Services

Filed: 5/19/2017 **Deemed Incomplete:** 6/2/2017 **Deemed Complete:** 7/25/2017

60th Day Deadline: 9/22/2017

Decision Deadline: 11/21/2017

Site: 1400 River Place, Braselton, GA 30517 (Hall County)

Contact: Linda Berger, Dir. of Planning 770-219-9000

Estimated Cost: \$1,222,945

2017-034 American Health Imaging of Cumming

Addition of Second MRI Unit

Filed: 6/19/2017 **Deemed Complete:** 6/29/2017

60th Day Deadline: 8/27/2017

Decision Deadline: 10/26/2017

Site: 1050 Haw Creek Parkway, Cumming, GA 30041 (Forsyth County)

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

Estimated Cost: \$1,070,000

2017-035 University Hospital

Renovation of Hospital's Sixth Floor

Filed: 6/29/2017 **Deemed Incomplete:** 7/13/2017 **Deemed Complete:** 8/22/2017

60th Day Deadline: 10/20/2017

Decision Deadline: 12/19/2017

Site: 1350 Walton Way, Augusta, GA 30901 (Richmond County)

Contact: Edward L. Burr, VP, Legal Affairs 706-774-4500

Estimated Cost: \$5,108,765

2017-036 Northside Hospital - Cherokee

Two-Story Addition to Main Hospital w/8 Addtl Med/Surg Beds and 2 Shared ORs

Filed: 7/3/2017 **Deemed Incomplete:** 7/17/2017 **Deemed Complete:** 8/1/2017

60th Day Deadline: 9/29/2017

Decision Deadline: 11/28/2017

Site: 450 Northside-Cherokee Boulevard, Canton, GA 30115 (Cherokee County)

Contact: Brian Toporek, Senior Planner 404-851-6821

Estimated Cost: \$43,626,834

2017-037 Piedmont Henry Hospital Opposition Filed

Capital Expenditure to Renovate Space to add a 22-Bed Observation Unit

Filed: 7/3/2017 **Deemed Incomplete:** 7/13/2017 **Deemed Complete:** 8/4/2017

60th Day Deadline: 10/2/2017

Decision Deadline: 12/1/2017

Site: 1133 Eagles Landing Parkway, Stockbridge, GA 30281 (Henry County)

Contact: Davis Dunbar, Consultant 404-788-3638

Estimated Cost: \$6,425,000

2017-038 Emory Saint Joseph's Hospital

Renovation of Medical and Surgical Inpatient Space

Filed: 7/7/2017 **Deemed Complete:** 7/21/2017

60th Day Deadline: 9/18/2017

Decision Deadline: 11/17/2017

Site: 5665 Peachtree Dunwoody Road, NE, Atlanta, GA 30342 (Fulton County)

Contact: Robert Limyansky, Partner, Strategy House 770-394-8465

Estimated Cost: \$15,834,625

2017-039 Emory University Hospital Midtown

Renovation and Upgrade of Surgical Facilities

Filed: 7/7/2017 **Deemed Complete:** 7/20/2017

60th Day Deadline: 9/17/2017

Decision Deadline: 11/16/2017

Site: 550 Peachtree Street, Atlanta, GA 30308 (Fulton County)

Contact: Daniel Beall, Partner, Strategy House 770-394-8465

Estimated Cost: \$9,411,247

2017-040 Emory University Hospital Midtown

Renovation and Upgrade of Maternity/Obstetrical/Neonatal Facilities

Filed: 7/7/2017 **Deemed Complete:** 7/20/2017

60th Day Deadline: 9/17/2017

Decision Deadline: 11/16/2017

Site: 550 Peachtree Street, Atlanta, GA 30308 (Fulton County)

Contact: Daniel Beall, Partner, Strategy House 770-394-8465

Estimated Cost: \$12,025,114

2017-041 St. Joseph's Hospital

Development of Hospital-Based Outpatient Surgery Center

Filed: 7/10/2017 **Deemed Complete:** 7/24/2017

60th Day Deadline: 9/21/2017

Decision Deadline: 11/20/2017

Site: near 1565 Pooler Parkway, Pooler, GA 31322 (Chatham County)

Contact: Brad Trower, VP, Business Development 912-819-6000

Estimated Cost: \$9,104,603

2017-042 Northside Hospital - Forsyth

Addition of 20 Inp Acute Care Beds Through Conversion of Existing 20 Observation Beds

Filed: 7/10/2017 **Deemed Complete:** 7/24/2017

60th Day Deadline: 9/21/2017

Decision Deadline: 11/20/2017

Site: 1200 Northside Forsyth Drive, Cumming, GA 30041 (Forsyth County)

Contact: Brian Toporek, Senior Planner 404-851-6821

Estimated Cost: \$0

2017-043 Southeast Georgia Health System, Inc.

Renovation and Expansion to Brunswick Campus

Filed: 7/12/2017 Deemed Complete: 7/21/2017

60th Day Deadline: 9/18/2017

Decision Deadline: 11/17/2017

Site: 2415 Parkwood Drive, Brunswick, GA 31520 (Glynn County)

Contact: Marjorie Mathieu, Vice President 912-466-7055

Estimated Cost: \$123,474,000

2017-044 WellStar West Georgia Medical Center

Acquisition of a da Vinci Robotic Surgery System

Filed: 7/12/2017 Deemed Complete: 7/24/2017

60th Day Deadline: 9/21/2017

Decision Deadline: 11/20/2017

Site: 1514 Vernon Road, La Grange, GA 30240 (Troup County)

Contact: April Austin, Mgr, Strategic Planning 470-644-0057

Estimated Cost: \$1,985,000

2017-045 Emory University Hospital Midtown

Renovation of Woodruff Building 2nd Floor to Establish Inp 25-Bed Medical Surgical Unit

Filed: 7/17/2017 Deemed Complete: 7/31/2017

60th Day Deadline: 9/28/2017

Decision Deadline: 11/27/2017

Site: 550 Peachtree Street, NE, Atlanta, GA 30308 (Fulton County)

Contact: Daniel Owens, CEO 404-686-2010

Estimated Cost: \$9,073,489

2017-046 HealthSouth Walton Rehabilitation Hospital

Renovation of Facility and Addition of Two Private Patient Rooms

Filed: 7/31/2017 Deemed Incomplete: 8/14/2017 Deemed Complete: 9/29/2017

60th Day Deadline: 11/27/2017

Decision Deadline: 1/26/2018

Site: 1355 Independence Drive, Augusta, GA 30901 (Richmond County)

Contact: Eric Crossan, CEO 706-724-7746

Estimated Cost: \$5,985,087

2017-047 Piedmont Henry Hospital

Capital Expenditure to Renovate Space to Establish Interventional Radiology Suite

Filed: 8/2/2017 Deemed Incomplete: 8/16/2017 Deemed Complete: 8/24/2017

60th Day Deadline: 10/22/2017

Decision Deadline: 12/21/2017

Site: 1133 Eagles Landing Parkway, Stockbridge, GA 30281 (Henry County)

Contact: Wesley James, CFO 678-604-5578

Estimated Cost: \$4,511,522

2017-048 Memorial University Medical Center

Acquisition of Memorial University Medical Center

Filed: 8/25/2017 Deemed Incomplete: 9/7/2017 Deemed Complete: 9/15/2017

60th Day Deadline: 11/13/2017

Decision Deadline: 1/12/2018

Site: 4700 Waters Avenue, Savannah, GA 31404 (Chatham County)

Contact: Joseph R. Ross, Esq. 912-232-7182

Estimated Cost: \$430,095,000

2017-049 Grady Memorial Hospital

Development of a Hybrid OR Within Main Surgical Suite on 5th Floor

Filed: 8/25/2017 Deemed Incomplete: 9/8/2017 Deemed Complete: 9/26/2017**60th Day Deadline: 11/24/2017****Decision Deadline: 1/23/2018****Site:** 80 Jesse Hill Drive SE, Atlanta, GA 30303 (Fulton County)**Contact:** Shannon Sale, VP, Plan & Bus. Development 404-616-7029**Estimated Cost:** \$7,365,303**2017-050 Flint River Hospital**Add 18 Adult Psych/SA Beds to Existing Program by Conversion of Med/Surg Beds- [Batching](#)**Filed: 8/25/2017 Deemed Complete: 8/25/2017****60th Day Deadline: 10/23/2017****Decision Deadline: 12/22/2017****Site:** 509 Sumter Street, Montezuma, GA 31063 (Macon County)**Contact:** Michael C. Patterson, CEO 478-472-3100**Estimated Cost:** \$418,356**2017-051 Jenkins County Medical Center**Establish a 15-Bed Inpatient Geriatric Psychiatric Unit by Conversion of Existing Beds - [Batching](#)**Filed: 8/25/2017 Deemed Complete: 8/25/2017****60th Day Deadline: 10/23/2017****Decision Deadline: 12/22/2017****Site:** 931 Winthrop Avenue, Millen, GA 30442 (Jenkins County)**Contact:** Earl S. Whiteley, Administrator/COO 478-982-4221**Estimated Cost:** \$1,150,130**2017-052 Oconee Regional Medical Center**

Acquisition of Oconee Regional Medical Center

Filed: 9/5/2017 Deemed Incomplete: 9/19/2017 Deemed Complete: 9/22/2017**60th Day Deadline: 11/20/2017****Decision Deadline: 1/19/2018****Site:** 821 N Cobb Street, Milledgeville, GA 31061 (Baldwin County)**Contact:** Dawnmarie Matlock, Esq 404-881-4253**Estimated Cost:** \$50,000**2017-053 Oaks at Limestone**

Nursing Home Renovation Expenditures in Excess of 2017 Threshold Amount

Filed: 9/18/2017 Deemed Complete: 10/2/2017**60th Day Deadline: 11/30/2017****Decision Deadline: 1/29/2018****Site:** 2560 Flintridge Road, Gainesville, GA 30501 (Hall County)**Contact:** Aneel Gill, Exec. Dir./Planning & Dev. 678-533-6699**Estimated Cost:** \$8,950,000

Recently Approved Applications

2017-026 Doctors Hospital of Augusta

Expansion of Advanced Burn / Wound Center

Filed: 4/13/2017 Deemed Incomplete: 4/27/2017 Deemed Complete: 5/25/2017**60th Day Deadline: 7/23/2017****Decision Deadline: 9/21/2017****APPROVED: 9/21/2017****Site:** 3675 J. Dewey Gray Circle, Augusta, GA 30909 (Richmond County)**Contact:** Chris Cosby, COO 706-651-6101**Estimated Cost:** \$8,081,000**2017-032 Hamilton Medical Center**

Consolidation of Outpatient Cancer Services

Filed: 5/19/2017 Deemed Complete: 6/2/2017
60th Day Deadline: 7/31/2017
Decision Deadline: 9/29/2017
APPROVED: 9/29/2017
Site: 1217 Memorial Drive, Dalton, GA 30720 (Whitfield County)
Contact: Sandy McKenzie, COO, Exec. VP 706-272-6000
Estimated Cost: \$44,837,194

Recently Denied Applications

none

Appealed Determinations

DET2016-142 Hutcheson Medical Center, Inc. Request for Letter of Determination regarding reclassification of facility denied on 09/28/16. Requestors filed request for Administrative Appeal on 10/13/16. Hearing Officer is Melvin M. Goldstein, Esq. Hearing date: 4/11/2017.

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 denied on 2/24/2016. Requestors filed request for Administrative Appeal on 03/16/2017. Hearing Officer is Ellwood F. Oakley III, Esq. Hearing date: 6/15/2017. Hearing Officer grants Motion of Summary Adjudication to Requestors, 8/28/2017. Department requests Commissioner Review, 9/22/2017

Appealed LNRs

LNR-EQT2017014 Excel Radiology, LLC - Savannah

Requested Letter of Non-Reviewability (“LNR”) with regard to the reviewability of the purchase of a Fixed MRI Unit and CT Scanner. Request was approved, 7/7/2017. St. Joseph’s/Candler Health System, Inc. and its two Savannah hospitals (St. Joseph’s Hospital, Inc., and Candler Hospital, Inc. (collectively “St. Joseph’s/Candler”) filed a request for Administrative Appeal Hearing to contest the Department’s July 7, 2017 ruling, 8/4/2017. Hearing Officer: William C. Joy, Esq.

LNR-EQT2017015 Excel Radiology, LLC - Brunswick

Requested Letter of Non-Reviewability (“LNR”) with regard to the reviewability of the purchase of a Fixed MRI Unit and CT Scanner. Request was approved, 7/7/2017. St. Joseph’s/Candler Health System, Inc. and its two Savannah hospitals (St. Joseph’s Hospital, Inc., and Candler Hospital, Inc. (collectively “St. Joseph’s/Candler”) filed a request for Administrative Appeal Hearing to contest the Department’s July 7, 2017 ruling, 8/4/2017. Hearing Officer: William C. Joy, Esq.

LNR-EQT2017010 Bridgeway Diagnostic Radiology, LLC

Requested Letter of Non-Reviewability (“LNR”) with regard to the acquisition and operation of certain diagnostic equipment in Columbus, Muscogee County. The Department issued LNR, 8/23/2017. Columbus Diagnostic Imaging Center, LLC (“CDIC”) filed a request for Administrative Appeal Hearing, 9/22/2017. Hearing Officer: TBD

LNR-ASC2016025 Georgia Arrhythmia Consultants and Research Institute, LLC (“GACRI”) – Houston

Requested Letter of Non-Reviewability (“LNR”) with regard to the reviewability of the establishment of cardiac services in an ambulatory surgery center. Request was denied, 3/8/2017. GACRI filed a request for Administrative Appeal Hearing, 3/31/2017. Hearing Officer: William C. Joy, Esq. Hearing Officer grants Department’s Motion for Summary Determination, 7/27/17. GACRI files request for Commissioner Review, 8/28/2017. GACRI files Petition for Judicial Review, 8/25/17.

Appealed CON Projects

2014-028 HealthSouth Rehabilitation Hospital of Forsyth County, LLC. (Forsyth)

Establish a New 50-Bed Comprehensive Inpatient Physical Rehabilitation Hospital - Batching

Agency Decision: Denied, 9/26/2014

Appealed By: Applicant, 10/22/2014. WellStar Kennestone submitted request to intervene, 10/24/2014; WellStar Cobb Hospital submitted request to intervene, 10/24/2014; Northeast Georgia Medical Center submitted request to intervene, 10/24/2014; Gwinnett Medical Center- Duluth, submitted request to intervene, 10/24/2014; North Fulton Hospital submitted request to intervene, 10/24/2014. WellStar Cobb Hospital withdraws request to intervene, 2/12/2015. WellStar Kennestone Hospital withdraws request to intervene, 2/12/2015.

Hearing Officer: William C. Joy, Esq.

Hearing Date: 3/18/2015 – 3/26/2015

Hearing Decision: Hearing Officer affirmed DCH decision, 7/14/2015. HealthSouth filed request for Commissioner Review, 8/13/2015.

Commissioner Review Decision: Affirmed Hearing Officer's decision, 9/11/2015. HealthSouth Rehabilitation Hospital of Forsyth County, LLC, filed Petition for Judicial Review, 10/12/2015.

Superior Court Decision: Superior Court Remands decision to Department for clarification, 4/29/2016. Clarification filed on 6/29/2016. Superior Court reversed Department decision, 1/27/17.

Court of Appeals: Department filed Application for Discretionary Review, 2/27/2017. Application for Discretionary Review granted, 3/16/2017.

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 granted on 6/8/2016.

2015-017 ASMC, LLC d/b/a Atlanta Sports Medicine Center (Fulton)

Development of Single-Specialty Orthopedic ASC - Batching

Agency Decision: Approved, 9/25/2015

Appealed By: Northside Hospital, Inc., d/b/a Northside Hospital - Atlanta, Northside Hospital-Cherokee, Northside Hospital-Forsyth, and Northside/Alpharetta Surgery Center (collectively "Northside"), 10/14/2015. North Fulton Medical Center, 10/23/2015; Marietta Surgical Center ("MSC") and Atlanta Outpatient Surgery Center ("AOSC"), 10/23/2015. The Emory Clinic, Inc. d/b/a Emory Orthopedic and Spine Physiatry Outpatient Surgery Center ("Emory"), 10/26/2015.

The Emory Clinic, Inc. d/b/a Emory Orthopedic and Spine Physiatry Outpatient Surgery Center ("Emory") withdraws appeal request, 1/26/2016.

Hearing Officer: Ellwood Oakley, III, Esq.

Hearing Date: 3/22/2016 – 3/24/2016 and 3/28/2016 – 3/31/2016

Hearing Decision: Hearing Officer reverses Department decision to issue CON to ASMC, 6/24/2016. ASMC, LLC, d/b/a Atlanta Sports Medicine Center ("ASMC") requests Commissioner's Review, 7/14/2016.

Commissioner Review Decision: Hearing Officer Decision is reversed and award of CON to ASMC is reinstated, 8/22/2016. Northside and WellStar North Fulton filed for Judicial Review, 9/20/2016.

Superior Court Decision: Superior Court reversed Department and denied CON to ASMC, LLC, 2/3/2017.

Court of Appeals: Applicant filed for discretionary review, 3/7/2017. Application for Discretionary Review granted 3/27/17.

2015-032 Piedmont Hospital, Inc. (Cobb)

Develop a New Non-Special Purpose MRT Service - Batching

Agency Decision: Denied, 12/23/2015

Appealed By: Piedmont Hospital, Inc. d/b/a Piedmont Atlanta Hospital, 1/21/2016

Hearing Officer: Melvin M. Goldstein, Esq.

Hearing Date: 6/13/2016 – 6/20/2016

Hearing Decision: Hearing Officer reversed Department decision to deny CON to Piedmont, 10/10/2016; Opposition parties Kennestone Hospital, Inc., d/b/a WellStar Kennestone Hospital, WellStar Hospital Career Center, LLC, and DCH Request Commissioner Review, 11/9/2016.

Commissioner Review Decision: Affirmed Hearing Officer's decision, 12/9/2016. Kennestone Hospital, Inc. filed Petition for Judicial Review, 1/9/2017.

Superior Court Decision: Court denies Petitioner's Petition for Judicial Review and affirms the Department's Final Order to award CON to Piedmont, 5/18/2017.

Court of Appeals: WellStar Kennestone and WellStar Cobb filed Application for Discretionary Review, 6/19/17.

2015-052 Mesun Health Services (Gwinnett)

Establish 100-Bed Skilled Nursing Facility for Asian Community - Batching

Agency Decision: Denied, 3/25/2016

Appealed By: Mesun Health Services, Inc., 4/21/2016

Hearing Officer: Melvin M. Goldstein, Esq.

Hearing Date: 11/1/2016 – 11/3/2016; Continued to 1/9/2017.

Hearing Decision: Hearing Officer reversed the Department's decision to deny a CON to MeSun Health Services, 4/19/2017. DCH Requests Commissioner Review, 5/19/2017.

Commissioner Review Decision: Hearing Officer decision is reversed and CON to MeSun Health Services, Inc. is denied, 7/7/17. MeSun Health Services, Inc filed Petition for Judicial Review; 8/4/17

2016-017 Saint Francis Hospital (Muscogee)

Establish New Special Purpose MRT Service Cyberknife Special Purpose MRT Region 3-Batching

Agency Decision: Approved, 6/24/2016

Appealed By: The Medical Center, Inc. d/b/a Midtown Medical Center ("MMC"), 7/22/2016.

Request to intervene filed by St. Francis Health, LLC. d/b/a St. Francis Hospital ("St. Francis"), 7/22/2016.

Hearing Officer: Melvin M. Goldstein, Esq.

Hearing Date: 1/17/2017

Hearing Decision: Hearing Officer affirmed the Department's decision to award a CON to St. Francis, 4/30/ 2017. MMC requested Commissioner Review, 5/30/2017.

Commissioner Review Decision: St. Francis was affirmed by the Commissioner, 6/30/17. MMC filed Petition for Judicial Review, 7/31/17.

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.

2017-010 Lakeview Behavioral Health (Gwinnett)

28-Bed Expansion of Existing Psych/Sub Abuse Inpatient Program SSSR 3 -Batching

Agency Decision: Approved, 6/26/2017

Appealed By: UHS of SummitRidge, LLC d/b/a SummitRidge Hospital ("SummitRidge"), 7/26/2017 and UHS of Peachford, L.P. d/b/a Peachford Hospital, 7/26/2017.

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

Hearing Date: 11/13/2017 – 11/17/2017.

Requests for LNR for Diagnostic or Therapeutic Equipment

LNR-EQT2017033 Cardiac Imaging, Inc.

Purchase PET - Mobile Cardiac

Request received: 7/21/2017

Contact Person: Rick Nassenstein, CFO 800-998-2035

Determination: Withdr/Agency Prior to Dec

Date of Withdrawal: 9/25/2017

LNR-EQT2017034 Hughston Clinic P.C.

Capital Lease of Fixed MRI

Request received: 7/21/2017

Contact Person: Mark Chapman, CIO 706-494-3400

Determination: Pending

LNR-EQT2017035 Ortho Sport & Spine Physicians, LLC

Fixed MRI

Request received: 7/25/2017

Contact Person: Armin Oskouei, Manager 678-752-7246

Determination: Pending

Opposition: St. Joseph's/Candler Health System, Inc.- 8/23/2017; Saint Joseph's Hospital, Inc.- 8/23/2017; Candler Hospital, Inc.- 8/23/2017

LNR-EQT2017036 Allegiance Imaging and Radiology, LLC

Acquisition of Mobile MRI

Request received: 8/4/2017

Contact Person: Sean Mahan, M.D., Managing Mmbr 407-699-1100

Determination: Approved **Determination Date:** 9/15/2017

LNR-EQT2017037 Cobb Hospital, Inc. d/b/a WellStar Cobb Hospital

Purchase Fixed CT Scanner

Request received: 8/4/2017

Contact Person: April Austin, Mgr., Strategic Plan. 470-644-0057

Determination: Approved **Determination Date:** 9/18/2017

LNR-EQT2017038 Fayette Community Hospital, Inc. d/b/a Piedmont Fayette Hospital

Purchase Fixed MRI

Request received: 8/9/2017

Contact Person: Nathan Nipper, VP/COO 770-804-1013

Determination: Pending

LNR-EQT2017039 The Longstreet Clinic, P.C.

Purchase Fixed MRI

Request received: 8/18/2017

Contact Person: T. Loren Funk, COO 770-533-6591

Determination: Pending

LNR-EQT2017040 Peachtree Spine Physicians, Inc.

Purchase Fixed MRI

Request received: 8/28/2017

Contact Person: Niki Dalton, Office Manager 404-843-3323

Determination: Pending

LNR-EQT2017041 The Baxley and Appling County Hospital Authority d/b/a Appling

Leased Fixed MRI

Request received: 9/8/2017

Contact Person: Raymond Leadbetter, CEO 912-367-1272

Determination: Pending

LNR-EQT2017042 Bender Orthopaedics & Spine Specialist, LLC

Purchase of Mobile MRI

Request received: 9/13/2017

Contact Person: Jay Bender, Managing Mbr 877-630-5534

Determination: Pending

LNR-EQT2017043 The Baxley and Appling Co Hospital Authority dba Appling Healthcare

Purchase of Fixed CT Scanner

Request received: 9/21/2017

Contact Person: Raymond Leadbetter, CEO 912-367-1272

Determination: Pending

LNR-EQT2017044 AU Medical Center, Inc.

Lease Mobile Mri

Request received: 9/25/2017

Contact Person: Jennifer Smith, AVP, Strategic Dev. 706-446-5132

Determination: Pending

Requests for LNR for Establishment of Physician-Owned Ambulatory Surgery Facilities

LNR-ASC2017008 Plastic Surgery Group of Atlanta, P.C.

Establishment of a Physician-Owned, Single Specialty ASC

Site: 755 Mount Vernon Highway, Suite 250, Atlanta, GA 30328

Number of OR's: 1 **Specialty:** Plastic and Reconstructive Surgery

Project costs as submitted: \$0.00

Request received: 4/11/2017

Contact Person: Tammy Parker, Practice Mgr. 770-599-5441

Determination: Withdr/Appl Prior to Dec

Date of Withdrawal: 10/2/2017

LNR-ASC2017013 Foot and Ankle of West Georgia, P.C.

Relocation of Physician-Owned Office-Based Single Specialty ASC

Site: 2000 Hamilton Rd, Ste A, Columbus - in MOB

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

Project costs as submitted: \$501,543.00

Request received: 8/7/2017

Contact Person: Everette Jenkins 678-625-4720

Determination: Approved **Determination Date:** 9/25/2017

LNR-ASC2017014 Atlanta Spine Surgery Center, LLC and Atlanta Spine, P.C.

Establish Exempt Physician-Owned Single Specialty ASC

Site: MOB @ 60 Peachtree Park Drive, Ste 200, Atlanta, 30309

Number of OR's: 2 **Specialty:** Orthopaedic Procedures

Project costs as submitted: \$1,730,991.87

Request received: 8/16/2017

Contact Person: Robert M. Rozier, Esq. 404-256-8247

Determination: Approved **Determination Date:** 9/28/2017

LNR-ASC2017015 Ankle and Foot Associates, LLC

Operation of Physician Owned, Single Specialty ASC

Site: 615 N. Cleveland Ave, Adel, GA 31620

Number of OR's: 2 **Specialty:** Ankle and Foot Surgical Procedures

Project costs as submitted: \$934,000.00

Request received: 9/18/2017

Contact Person: David Murphy, D.P.M 912-283-6471

Determination: Pending

LNR-ASC2017016 Allspine Surgery Center 2, LLC
Operation of Physician-Owned, Single Specialty ASC
Site: 1944 Clairmont Rd, Ste 102 Decatur, GA 30033
Number of OR's: 1 **Specialty:** Neurological Surgery
Project costs as submitted: \$576,639.00
Request received: 9/21/2017
Contact Person: Joseph Ross, Partner 912-232-7182
Determination: Pending

LNR-ASC2017017 Alpharetta Eye Surgery Center, LLC
Operation of Physician-Owned, Single Specialty ASC
Site: 2555 Westside Parkway, Ste 325, Alpharetta, GA 30004
Number of OR's: 2 **Specialty:** Ophthalmology
Project costs as submitted: \$1,683,489.00
Request received: 9/22/2017
Contact Person: Joseph Ross, Partner 912-651-8941
Determination: Pending

LNR-ASC2017018 Albany Urology Clinic, PC
Operation of Physician Owned, Single Specialty ASC
Site: 2400 Osler Court, Albany, GA 31707
Number of OR's: 2 **Specialty:** Urology
Project costs as submitted: \$0.00
Request received: 9/28/2017
Contact Person: Lawrence Meyers, Attorney 404-962-1040
Determination: Pending

Requests for Miscellaneous Letters of Determination

DET2017047 Georgia Surgical Centers, Inc./IDC Ventures, LLC
Acquisition of Stock, Assets/Right to Operate GA Surgical Center, Inc.
Request received: 4/6/2017
Contact Person: Brad West, Mgr 210-268-7770
Determination: Withdr/Agency Prior to Dec
Date of Withdrawal: 10/2/2017

DET2017134 Emory University Hospital
Replacement of Linear Accelerator
Request received: 6/16/2017
Contact Person: Kelli Gress, Clinical Admin 404-778-3892
Determination: Non-reviewable as proposed **Determination Date:** 9/13/2017

DET2017153 Orchard at Brookhaven, LLC
Development of Assisted Living Facility
Request received: 7/10/2017
Contact Person: Arkadiy Yakubov, Managing Member 404-649-4454
Determination: Non-reviewable as proposed **Determination Date:** 9/13/2017

DET2017162 RiverWoods Behavioral Health, LLC d/b/a RiverWoods Behavioral Health
Ten-Bed Increase Based on Hospital Utilization
Request received: 7/18/2017
Contact Person: John B. Warburton, CEO 770-692-3578
Determination: Pending

DET2017163 Polaris Spine & Neurosurgery Center, P.C.
Use of Physician as a Surgical Assistant in Single-Specialty ASC
Request received: 7/18/2017
Contact Person: Joy Taylor, Practice Administrator 404-256-2633
Determination: Denied **Determination Date:** 9/25/2017

DET2017164 Archbold Health Services, Inc. d/b/a Archbold Home Health
Transfer of CON Approved Home Health Counties

Request received: 7/19/2017
Contact Person: W. Clay Campbell, President/CEO 229-228-2230
Determination: Pending

DET2017168 UHS of Laurel Heights, L.P. d/b/a Laurel Heights Hospital

Addition of Twelve Beds

Request received: 7/26/2017

Contact Person: Patrick McDaniel, CEO/Managing Director 404-888-7876

Determination: Pending

DET2017171 WBC Georgia, LLC

CON Exempt Personal Care Home

Request received: 7/28/2017

Contact Person: Charles Rossignol, VP, Business Devlpmnt 781-647-6767

Determination: Non-reviewable as proposed **Determination Date:** 9/15/2017

DET2017172 Piedmont Hospital, Inc. d/b/a Piedmont Atlanta Hospital

Renovate Minor Procedure Room

Request received: 8/2/2017

Contact Person: Ed Lovern, COO 404-605-2233

Determination: Non-reviewable as proposed **Determination Date:** 9/15/2017

DET2017173 ARHC RPATLGA01 TRS, LLC /The Renaissance on Peachtree

Increase in Capacity - Assisted Living Facility

Request received: 8/3/2017

Contact Person: Wendy O. Whitney, Exec. Dir. 404-240-7808

Determination: Non-reviewable as proposed **Determination Date:** 9/15/2017

DET2017174 Hamilton Medical Center, Inc.

Construction of Medical Office Building

Request received: 8/4/2017

Contact Person: Sandy McKenzie, Executive VP & COO 706-272-6289

Determination: Non-reviewable as proposed **Determination Date:** 9/15/2017

DET2017175 American Access Care of Atlanta ASC, LLC

Convert Physician Office Procedure Rooms to Licensed AS Treatment Ctr

Request received: 8/4/2017

Contact Person: Jeffrey Snodgrass, Manager 404-377-9171

Determination: Non-reviewable as proposed **Determination Date:** 9/18/2017

DET2017176 Fresenius Vascular Care Augusta ASC, LLC

Convert Physician Office Procedure Rooms to Licensed AS Treatment Ctr

Request received: 8/4/2017

Contact Person: Jeffrey Snodgrass, Manager 706-724-2500

Determination: Non-reviewable as proposed **Determination Date:** 9/18/2017

DET2017177 Snapfinger Vascular Access Center

Convert Physician Office Procedure Rooms to Licensed AS Treatment Ctr

Request received: 8/4/2017

Contact Person: Jeffrey Snodgrass, Manager 678-533-6120

Determination: Non-reviewable as proposed **Determination Date:** 9/18/2017

DET2017178 Good Samaritan Hospital, Inc.

Capital Expenditure Below Threshold: Minor Renovations to ER

Request received: 8/7/2017

Contact Person: Tom Kruer, Regional Dir./Engineering 706-389-2555

Determination: Non-reviewable as proposed **Determination Date:** 9/22/2017

DET2017179 Scottish Rite Children's Medical Center d/b/a Children's Healthcare of Atlanta

Capital Expenditure to Develop Phlebotomy/Radiology Department

Request received: 8/10/2017

Contact Person: David Tatum, Chief Public Policy Officer 404-785-7556

Determination: Non-reviewable as proposed **Determination Date:** 9/25/2017

DET2017180 Scottish Rite Children's Medical Center d/b/a Children's Healthcare of Atlanta
Capital Expenditure Develop Multi-Specialty Outpt Treatment Dept
Request received: 8/10/2017
Contact Person: David Tatum, Chief Public Policy Officer 404-785-7556
Determination: Non-reviewable as proposed **Determination Date:** 9/25/2017

DET2017181 Scottish Rite Children's Medical Center d/b/a Children's Healthcare of Atlanta
Capital Expenditure - Develop Neurodiagnostic Department
Request received: 8/10/2017
Contact Person: David Tatum, Chief Public Policy Officer 404-785-7556
Determination: Non-reviewable as proposed **Determination Date:** 9/25/2017

DET2017182 Summit Surgery Center of Jonesboro, LLC
CON LNR Exempt Non-Operating Room Environment
Request received: 8/14/2017
Contact Person: Keri Laniado, Admin. Asst. 770-710-8919
Determination: Pending

DET2017183 Summit Surgery Center at Buckhead, LLC
CON LNR Exempt Non-Operating Room Environment
Request received: 8/14/2017
Contact Person: Keri Laniado, Admin. Asst. 770-710-8919
Determination: Pending

DET2017184 Blue Ridge Georgia Hospital Company, LLC d/b/a Fannin Regional Hospital
Acquisition of Laboratory Furniture, Supplies, and Equipment
Request received: 8/14/2017
Contact Person: David Sanders, CEO 704-632-4295
Determination: Non-reviewable as proposed **Determination Date:** 9/26/2017

DET2017185 Complete Medical Healthcare Corporation
CON LNR Exempt Non-Operating Room Environment
Request received: 8/17/2017
Contact Person: Shelton D. Brooks, CEO 404-565-0197
Determination: Pending

DET2017186 Montclair Personal Care Home
Change PCH License to Assisted Living Community
Request received: 8/17/2017
Contact Person: Paul McGough, Managing Director 404-723-4055
Determination: Pending

DET2017187 East Georgia Regional Medical Center, LLC
Operating Room Updates
Request received: 8/17/2017
Contact Person: V. Paul Theriot, CEO 912-486-1500
Determination: Non-reviewable as proposed **Determination Date:** 9/28/2017

DET2017188 Union General Hospital
Renovation of Existing Space on Main Level of Hospital Building
Request received: 8/24/2017
Contact Person: Lewis Kelly, CEO 706-439-6492
Determination: Non-reviewable as proposed **Determination Date:** 10/3/2017

DET2017189 Scottish Rite Children's Medical Center d/b/a Children's Healthcare of Atlanta
Capital Expenditure to Renovate and Expand Blood Bank
Request received: 8/25/2017
Contact Person: David Tatum, Chief Public Policy Offcr 404-785-7556
Determination: Non-reviewable as proposed **Determination Date:** 9/28/2017

DET2017190 Turning Point Care Center, LLC
Addition of Ten Beds
Request received: 8/25/2017

Contact Person: Judy H. Payne, CEO 229-985-4815
Determination: Pending

DET2017191 Kennestone Hospital, Inc. d/b/a Wellstar Kennestone Hospital

Replacement of Grandfathered MRI Unit

Request received: 8/25/2017

Contact Person: April Austin, Mgr., Strategic Planning 470-644-0057

Determination: Non-reviewable as proposed **Determination Date:** 9/29/2017

DET2017192 Kennestone Hospital, Inc. d/b/a Wellstar Kennestone Hospital

Replacement of Grandfathered CT Unit

Request received: 8/25/2017

Contact Person: April Austin, Mgr., Strategic Planning 470-644-0057

Determination: Non-reviewable as proposed **Determination Date:** 9/29/2017

DET2017193 Heartis Fayetteville Partners, LP

Construction of Senior Living Community

Request received: 8/30/2017

Contact Person: Zee Jennings, Manager 214-916-5612

Determination: Pending

DET2017194 Hospital Authority of Columbus, Georgia

Relocation of SNF to Replacement Facility with Transfer of Beds

Request received: 8/31/2017

Contact Person: Frank Morast, CEO 706-225-1100

Determination: Pending

DET2017195 UHS of Peachford, LLC, DBA Peachford Hospital

10% Bed Increase

Request received: 9/1/2017

Contact Person: Matt Crouch, CEO 770-454-2362

Determination: Pending

DET2017196 Old Milton Senior Holding, LLC

New Construction Assisted Living and Memory Support Community

Request received: 9/7/2017

Contact Person: Angela Stanton, Administrator 678-756-6735

Determination: Pending

DET2017197 Northeast Atlanta Vascular Care, LLC

Develop Nonsterile Procedure Rooms to Perform Noncardiac Vascular Sv

Request received: 9/8/2017

Contact Person: Lisa McNamara, Exec VP 239-597-2010

Determination: Pending

DET2017198 Scottish Rites Childrens Medical Center Inc dba CHOA at Scottish Rite

Replacement of CON Approved MRI

Request received: 9/14/2017

Contact Person: David R. Tatum, CPPO 404-785-7519

Determination: Pending

DET2017199 ObGyneBirth Center for Natural Deliveries, Inc.

Cost Overrun Below Review Threshold

Request received: 9/14/2017

Contact Person: Bolanle A Sogade, MD 478-745-9887

Determination: Pending

DET2017200 North Atlanta Vascular Clinic dba North Atlanta Vascular and Vein Center

Convert Existing Physician Office Procedure Rooms to ASC

Request received: 9/22/2017

Contact Person: Uthan Vivek, M.D. 770-771-5260

Determination: Pending

DET2017201 Saint Joseph's Hospital of Atlanta, Inc.
Replacement of Cardiac Catherization Lab
Request received: 9/27/2017
Contact Person: Heather Dexter, CEO 678-843-4951
Determination: Pending

Requests for Extended Implementation/Effective Period

2016030 Georgia Ophthalmologists, LLC
Development of Second OR within New Facility
Request to extend Completion Date
Site: 4159 Mill Street, Covington (Newton)
Project Approved: 9/23/2016
Request Received: 8/28/2017
Contact: Stacy Bigles, Practice Administrator (770-786-1234)
Approved Cost: \$552,215
Determination: Approved, 9/8/2017 **Extended Project Completion Date:** 12/31//2017

2016016 ObGyn Birth Center for Natural Deliveries, Inc.
Establish New Freestanding Birth Center in SSTR 6
Request to extend Performance Period
Site: 167 Martin Luther King Drive, Forsyth (Monroe)
Project Approved: 6/24/2016
Request Received: 9/13/2017
Contact: Everette Jenkins, (678-625-4720)
Approved Cost: \$615,161
Determination: Pending

2016036 Landmark Hospital of Athens
Renovation to Main Lobby and Adjacent Areas
Request to extend Performance Period
Site: 775 Sunset Drive, Athens (Clarke)
Project Approved: 10/28/2016
Request Received: 9/28/2017
Contact: William Kapp, MD, Chairman (573-331-8040)
Approved Cost: \$4,060,517
Determination: Approved, 10/2/2017 **Extended Project Implementation Date:** 10/28//2018

Need Projection Analyses

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

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

2022 Non Special MRT Need Projection – Posted 6/26/2017

2022 PET Need Projection – Posted 6/26/2017

2022 Ambulatory Surgical Services Need Projection – Posted 9/28/2017

2022 Inpatient Physical Rehab Need Projections for Pediatric and Adult Services – Posted 9/28/2017

2022 Neonatal Intermediate Care Bed Need Projection – Intermediate - Posted 9/28/2017

2022 Neonatal Intensive Care Bed Need Projection – Posted 9/28/2017

2021 Obstetric Services Bed Need Projection – Posted 9/28/2017

2020 Nursing Home Bed Projections – Posted 3/28/2017

Non-Batched Need Projections

2022 Long Term Care Hospital Beds - 5/27/2017

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.

A listing of complete and incomplete surveys separated by service and by year may be found at 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 10/3/2017)**

Facility Name	County	Year	Shortfall Due	Service
Ambulatory Laser & Surgery Ctr	CLAYTON	2013	9,122.57	Ambulatory Surgery Center
Ambulatory Laser & Surgery Ctr	CLAYTON	2014	33,362.50	Ambulatory Surgery Center
Ambulatory Laser & Surgery Ctr	CLAYTON	2015	17,041.50	Ambulatory Surgery Center
Athens Plastic Surgery Center	CLARKE	2014	4,439.76	Ambulatory Surgery Center
Brookstone Surgical Center, LLC	MUSCOGEE	2013	44,631.52	Ambulatory Surgery Center
CPMSC Canton	Cherokee	2014	39,426.60	Ambulatory Surgery Center
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
Premier Ambulatory Surgical Center, LLC	Cobb	2015	169,806.56	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
SurgiCare Gwinnett	Gwinnett	2015	108,022.10	Ambulatory Surgery Center
Georgia Home Health	Fulton	2013	14,681.28	Home Health Agency
Georgia Home Health	Fulton	2014	35,647.87	Home Health Agency
Georgia Home Health	Fulton	2015	64,819.82	Home Health Agency
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).

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, Neonatal Intermediate Care, NICU Services, Ambulatory Surgery, Inpatient Rehabilitation, 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, Neonatal Intermediate Care, NICU Services, Ambulatory Surgery, Inpatient Rehabilitation, 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 9/28/2017 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](#)

[Neonatal Intensive
Care Unit Services](#)

[Skilled Nursing
Facilities](#)

[Ambulatory
Surgery](#)

[Neonatal Intermediate
Care Services](#)

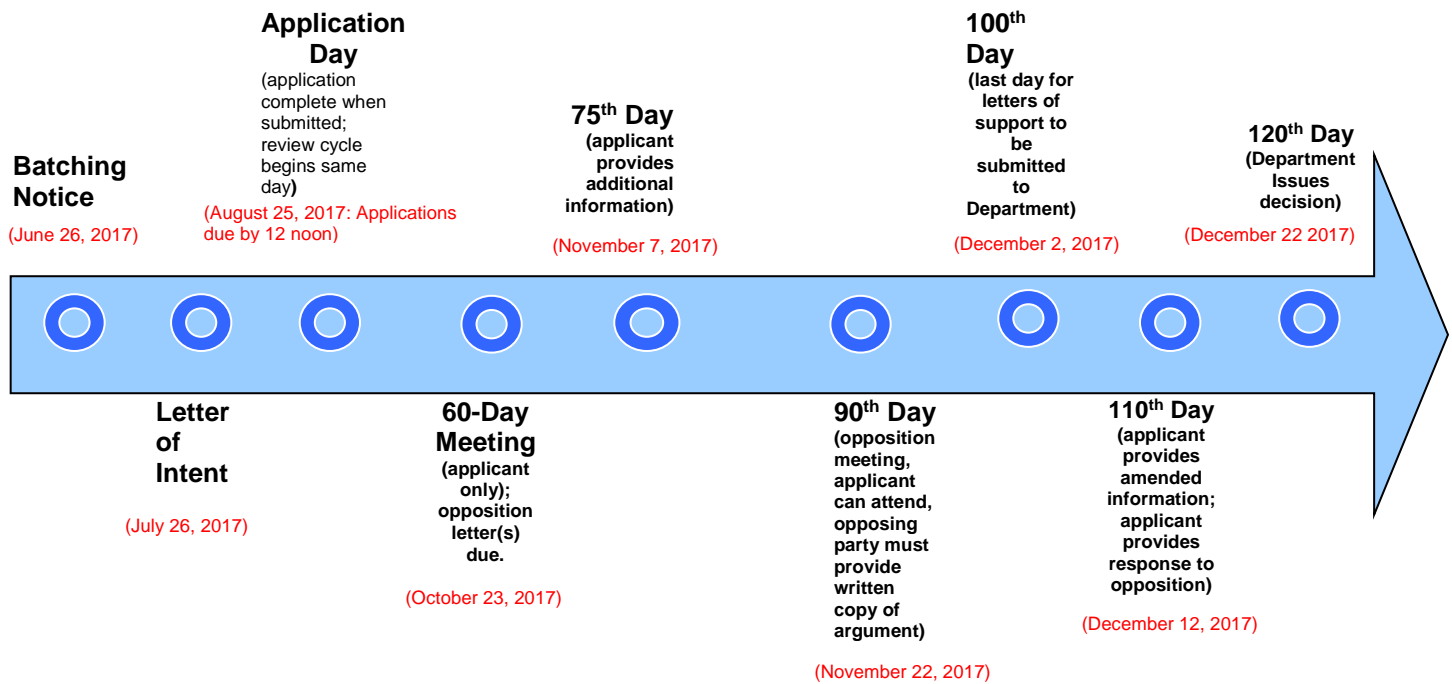
[Inpatient
Rehabilitation](#)

[Obstetrical
Services](#)

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

BATCHED APPLICATIONS: SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES

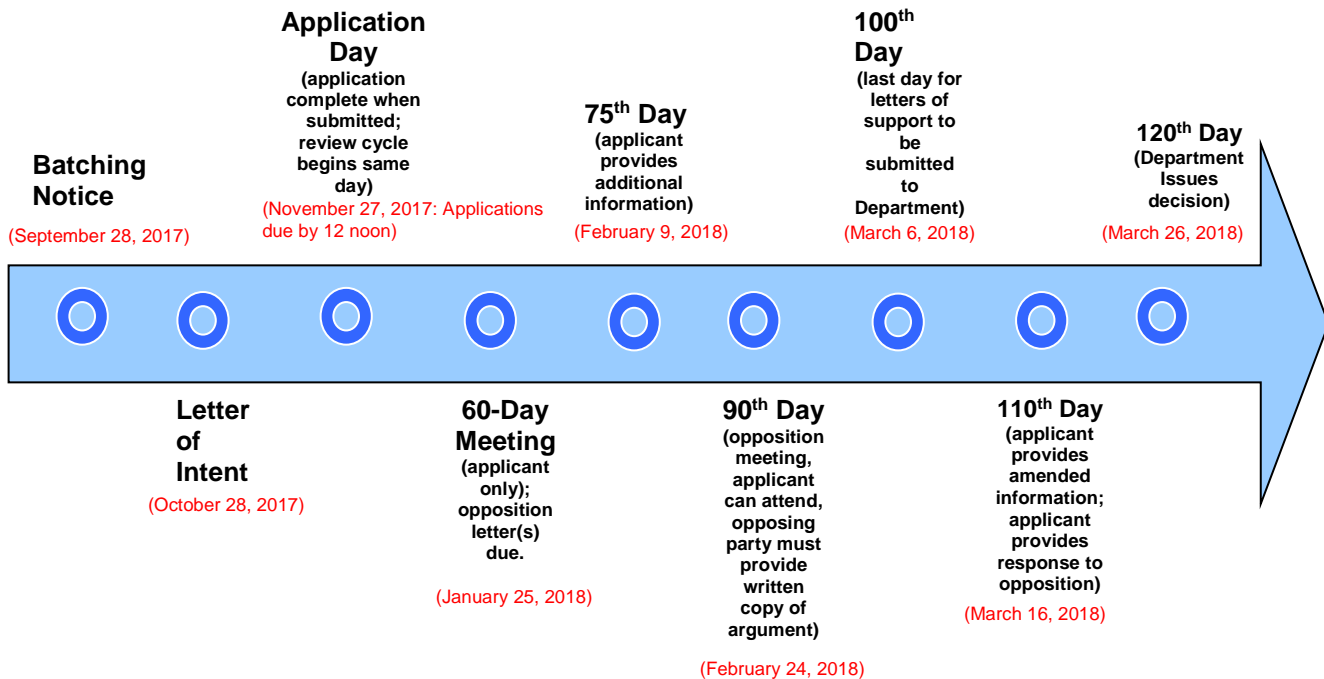
SUMMER CYCLE



- ▶ 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)
- ▶ 75th day – applicant provides additional information
- ▶ 90th day – Opposition Meeting(s) scheduled; applicant can be in attendance; opposing parties must provide written statement of opposition arguments presented (original and one copy to the Department and one copy to the applicant); presentation time will be limited; Department reserves right to make additional inquiries subsequent to 60-day meeting and following opposition meeting.
- ▶ 100th day Last day for letters of support to be submitted to the Department
- ▶ 110th day Applicant deadline for submitting amended information; applicant deadline for providing written response to opposition due to Department; applicant deadline for providing written response to Department’s inquiries subsequent to opposition meeting
- ▶ 120th day Decision issued (No discretion to extend)

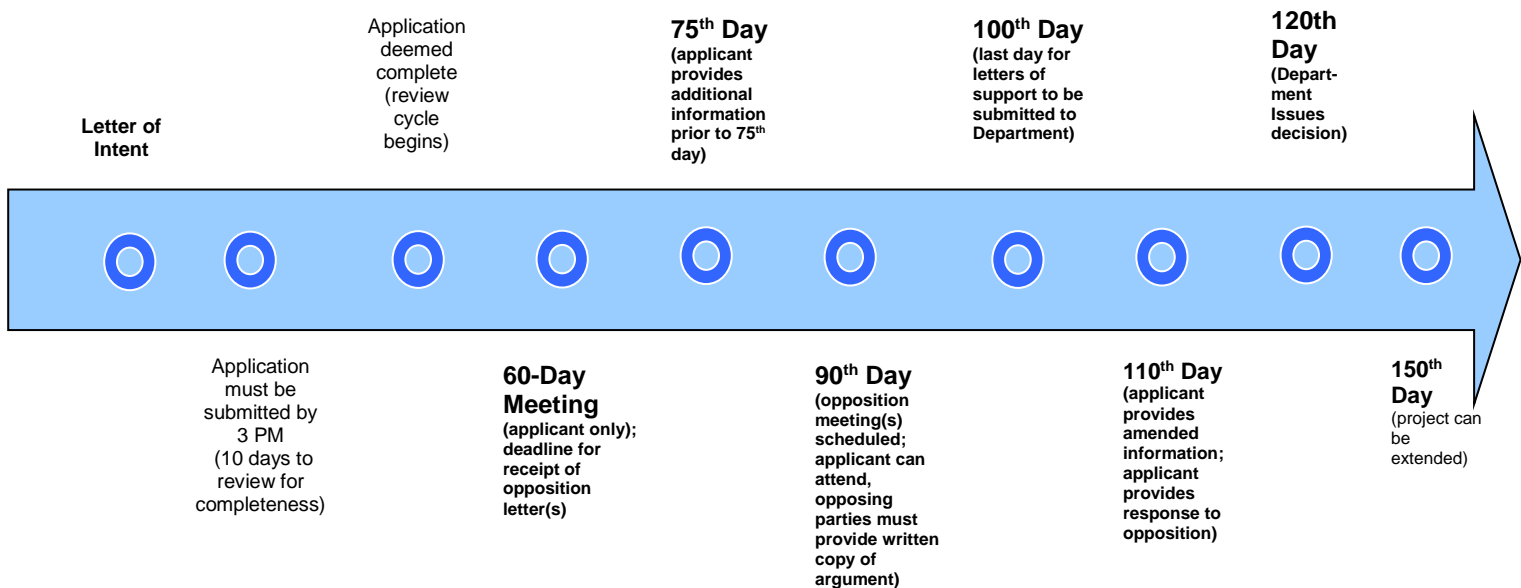
BATCHED APPLICATIONS: SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES

FALL CYCLE



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

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 provide written statement of opposition arguments presented (original and one copy to the Department and one copy to the applicant); presentation time will be limited; Department reserves right to make additional inquiries subsequent to 60-day meeting and following opposition meeting.
- ▶ 100th day Last day for letters of support to be submitted to the Department
- ▶ 110th day Applicant deadline for submitting amended information; applicant deadline for providing written response to opposition; 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

For general questions related to the Office of Health Planning, questions concerning Health Planning surveys, indigent and charity care commitment shortfalls, and all other matters please contact Rachel L. King, J.D., Executive Director
(rking1@dch.ga.gov)

For questions concerning pending Certificate of Need applications please contact Bruce Henderson, Senior Reviewer
(bhenderson@dch.ga.gov)

For LNR/DET letters and for CON related matters please contact Roxana Tatman, Legal Director, Health Planning
(rtatman@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. Such requests will be accepted only on the Department's Determination Request form with the required filing fee of \$250. Note: Requests for confirmation of the exemptions for a single specialty ambulatory surgical center or a joint venture ambulatory surgical center and equipment below the threshold are considered requests for a Letter of Nonreviewability ("LNR") and require a \$500 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 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:

<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 www.GaMap2Care.info 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.

CERTIFICATE OF NEED APPEAL PANEL

Sworn by Governor Sonny Perdue on August 20, 2008

Ellwood "Ebb" Oakley (Chair)
eoakley@gsu.edu

Melvin M. Goldstein
goldatty@bellsouth.net

William "Bill" C. Joy (Vice Chair)
wcjoy@bellsouth.net