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# Office of Health Planning



GEORGIA DEPARTMENT  
OF COMMUNITY HEALTH

## ***CERTIFICATE OF NEED***

# Tracking And Appeals Report

***September 20, 2017 – September 26, 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](http://www.dch.georgia.gov)

[www.GaMap2Care.info](http://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

### **2017-053 Oaks at Limestone**

Nursing Home Renovation Expenditures in Excess of 2017 Threshold Amount

**Filed: 9/18/2017**

**Site:** 2560 Flintridge Road, Gainesville, GA 30501 (Hall County)

**Contact:** Aneel Gill, Exec. Dir./Planning & Dev. 678-533-6699

**Estimated Cost:** \$8,950,000

## Withdrawn CON Applications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

**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**

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

**Contact:** Eric Crossan, CEO 706-724-7746

**Estimated Cost:** \$5,985,087

## 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

**2017-032 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**

**Site:** 1217 Memorial Drive, Dalton, GA 30720 (Whitfield County)

**Contact:** Sandy McKenzie, COO, Exec. VP 706-272-6000

**Estimated Cost:** \$44,837,194

**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**

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

**2017-047 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

## 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

## 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

### **2013-031 WellStar Kennestone Hospital (Cobb)**

Establish New Freestanding ASC - Batching

**Agency Decision:** Approved, 9/24/2013

**Appealed By:** Marietta Outpatient Surgery, LTD d/b/a Marietta Surgical Center (MSC), 10/16/2013; Cartersville Medical Center (CMC), 10/16/2013; Northside Hospital, Inc., d/b/a Northside Hospital - Atlanta, Northside Hospital - Cherokee and Northside Alpharetta Surgery Center, (collectively, "Northside"), 10/18/2013.

WellStar Kennestone, Inc., d/b/a WellStar Kennestone Hospital files request to intervene, 10/21/2013.

Northside withdraws appeal request, 11/4/2013.

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

**Hearing Date:** 3/4/2014 @ 10:00AM through 3/7/2014 and 4/3/2014

**Hearing Decision:** Hearing Officer reverses DCH decision, 7/17/2014. The Department and WellStar Kennestone filed requests for Commissioner Review, 8/18/2014.

**Commissioner Review Decision:** Hearing Officer is reversed and the original decision of the Department to award a CON to Kennestone becomes the final agency decision, 9/15/2014.

Marietta Outpatient Surgery, LTD d/b/a Marietta Surgical Center (MSC), and Cartersville Medical Center (CMC) filed petition for judicial review, 10/15/2014.

**Superior Court Decision:** Superior Court reversed and remanded to the Department with instruction to deny Kennestone's CON application, 5/18/2015.

**Court of Appeals:** WellStar Kennestone and the Department each filed an Application for Discretionary Appeal, 06/17/2015. Court of Appeals granted discretionary appeal, 7/8/2015. Court of Appeals vacates judgement of Superior Court, 3/16/ 2017. CMC and MSC filed Motion for Reconsideration, 3/27/17, Motion denied, 3/28/17.

**Supreme Court:** CMC filed Petition for Certiorari, 4/17/17. Petition denied, 8/28/17.

### **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

**2017-010 Lakeview Behavioral Health (Gwinnett)**

28-Bed Expansion of Existing Psych/Sub Abuse Inpatient Program SDDR 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:** Pending

**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:** Pending

**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

## **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:** Pending

**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

**DET2017152 Northside Hospital, Inc. d/b/a Northside Eagles Landing Imaging**  
Replace CON-Approved Diagnostic Imaging Equipment  
**Request received:** 7/7/2017  
**Contact Person:** Brian J. Toporek, Senior Planner 404-851-6821  
**Determination:** Withdr/Appl Prior to Dec  
**Date of Withdrawal:** 8/28/2017

**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

**DET2017154 Phoebe Putney Memorial Hospital, Inc./Healthfield of Southwest Georgia**  
Request to Transfer Home Health Counties  
**Request received:** 7/11/2017

**Contact Person:** Lori Jenkins, Dir, Strategy & Planning 229-312-1432  
**Determination:** Non-reviewable as proposed **Determination Date:** 8/29/2017

**DET2017155 Chattahoochee Valley Home Health, Inc. d/b/a/ Gentiva Health Services**  
Request to Transfer Home Health Counties  
**Request received:** 7/11/2017  
**Contact Person:** David Bufford, Sr. Dir. Operations Cnsl 502-596-7785  
**Determination:** Non-reviewable as proposed **Determination Date:** 8/29/2017

**DET2017156 Center for Spine and Pain Medicine, P.C.**  
Physician Office-Based AS Suite - Pain Mgmt - ASC  
**Request received:** 7/11/2017  
**Contact Person:** Suleman Sohani, Practice Administrator 706-279-2635  
**Determination:** Non-reviewable as proposed **Determination Date:** 8/29/2017

**DET2017158 Northside Hospital, Inc d/b/a MRI & Imaging of Habersham**  
Replace CON-Approved Diagnostic Imaging Equipment  
**Request received:** 7/14/2017  
**Contact Person:** Brian Toporek, Senior Planner 404-851-6821  
**Determination:** Non-reviewable as proposed **Determination Date:** 9/1/2017

**DET2017159 NEWCO GI, LLC d/b/a GI North**  
Develop New Doctor's Office-Based Endoscopy Center - IV Sedation Only  
**Request received:** 7/17/2017  
**Contact Person:** Leslie Perry, Practice Administrator 404-446-0600  
**Determination:** Non-reviewable as proposed **Determination Date:** 8/28/2017

**DET2017160 Doctors Hospital of Augusta, LLC d/b/a Doctors Hospital of Augusta**  
C-Section Delivery and Recovery Renovation  
**Request received:** 7/17/2017  
**Contact Person:** Sondra Smith, VP, Strategic Plan.& Dev. 706-651-6689  
**Determination:** Non-reviewable as proposed **Determination Date:** 8/29/2017

**DET2017161 Piedmont Newnan Hospital, Inc.**  
Exempt Replacement of Linear Accelerator and Related Construction  
**Request received:** 7/17/2017  
**Contact Person:** Michael Robinson, CEO 770-400-2323  
**Determination:** Non-reviewable as proposed **Determination Date:** 9/1/2017

**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

**DET2017166 Delmar Gardens of Smyrna**  
Increase in Capacity for Personal Care Home  
**Request received:** 7/21/2017  
**Contact Person:** Dawn St. Fleur, Executive Director 770-432-4444  
**Determination:** Non-reviewable as proposed **Determination Date:** 8/31/2017

**DET2017167 WellStar North Fulton Hospital, Inc. d/b/a WellStar North Fulton**

Expenditures to Eliminate or Prevent Safety Hazards

**Request received:** 7/25/2017

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

**Determination:** Non-reviewable as proposed **Determination Date:** 9/1/2017

**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

**DET2017170 Grady Memorial Hospital Corporation d/b/a Grady Health System**

Addition of 3rd Cath Lab w Upgrades to Two Existing Cath Labs

**Request received:** 7/26/2017

**Contact Person:** Shannon Sale, Sr. VP, Dev. 404-616-7029

**Determination:** Non-reviewable as proposed **Determination Date:** 9/1/2017

**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 Krueger, 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:** Pending

**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:** Pending

**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:** Pending

**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 Officer 404-785-7556

**Determination:** Pending

**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:** Pending

**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:** Pending

**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 Children's 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

## 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 SDDR 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

## 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

2021 Ambulatory Surgical Services Need Projection – Posted 3/31/2017

2021 Inpatient Physical Rehab Need Projections for Pediatric and Adult Services – Posted 3/31/2017

2021 Neonatal Intermediate Care Bed Need Projection – Intermediate - Posted 3/31/2017

2021 Neonatal Intensive Care Bed Need Projection – Posted 3/31/2017

2021 Obstetric Services Bed Need Projection – Posted 3/31/2017

2019 Nursing Home Bed Projections – Posted 3/31/2017

2019 Home Health Need Projection Summary for Horizon- Posted 3/31/2017

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

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

## Indigent and Charity Care Shortfalls

Facilities with Indigent and Charity Care Commitment Shortfalls for Most Recent 3 Years  
(Commitment status as of 9/26/2017)

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 separate by a light colored dividing sheet containing the name of the document which follows the dividing sheet.

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

## **Determining Completeness**

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

# Batching Review

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

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

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.

## Batching Notifications— *Posted 6/26/2017 on DCH Website* Summer Batching Review Cycle Notifications

[PET](#)

[Adult Open Heart](#)

[Mega Voltage  
Radiation Therapy](#)

[Psych/Substance  
Abuse](#)

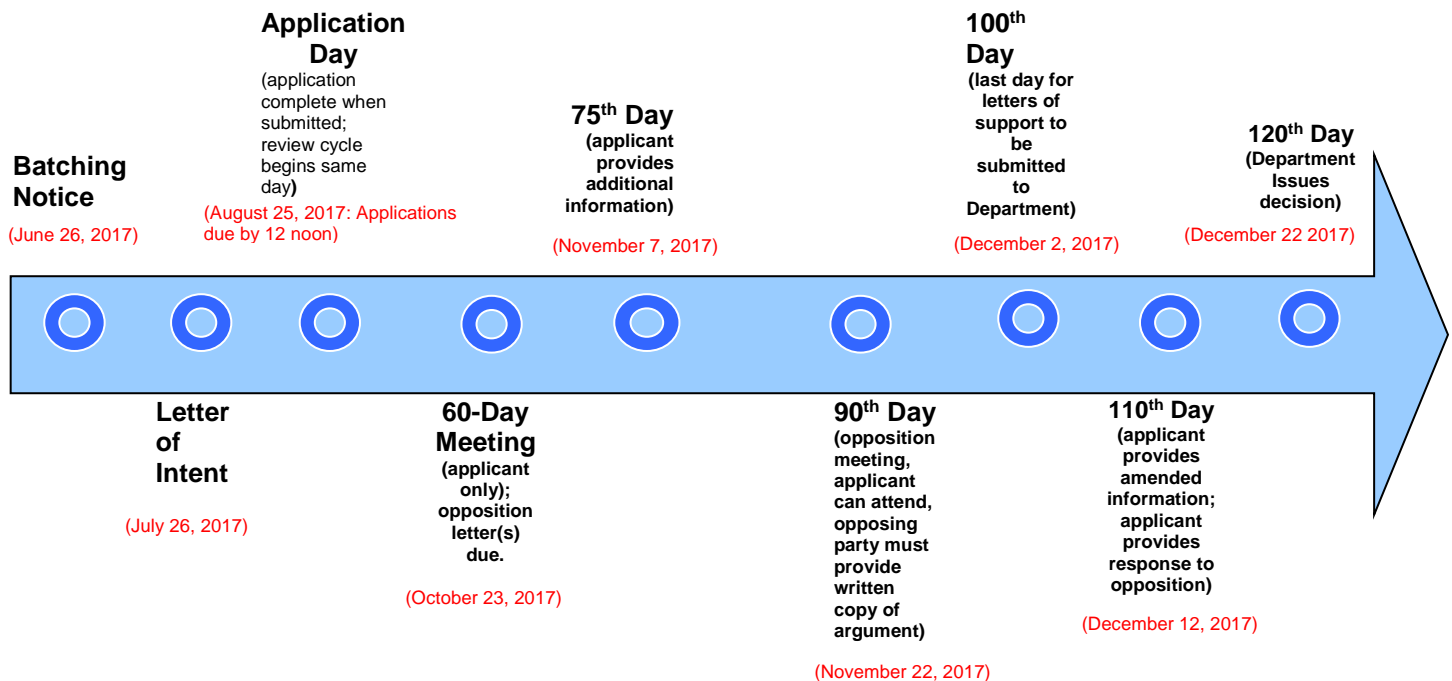
[Pediatric Cath/Open  
Heart](#)

[Birthing Centers](#)

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

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

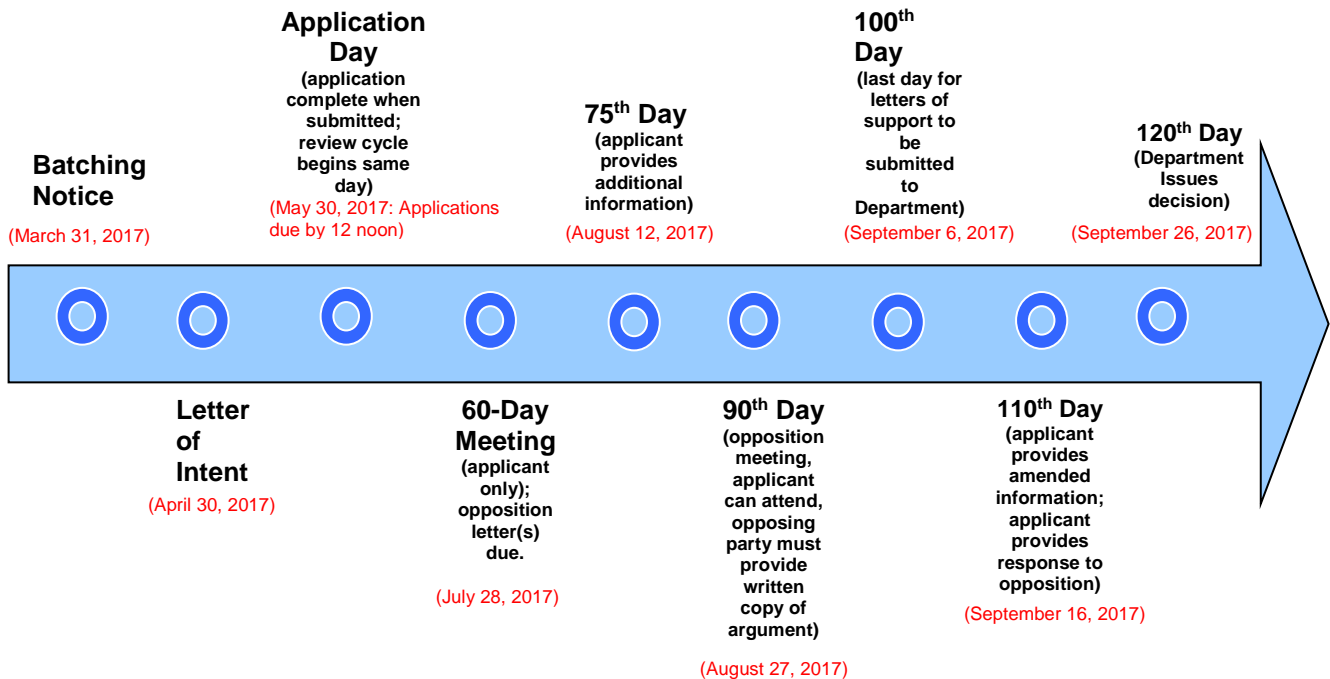
## SUMMER CYCLE



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

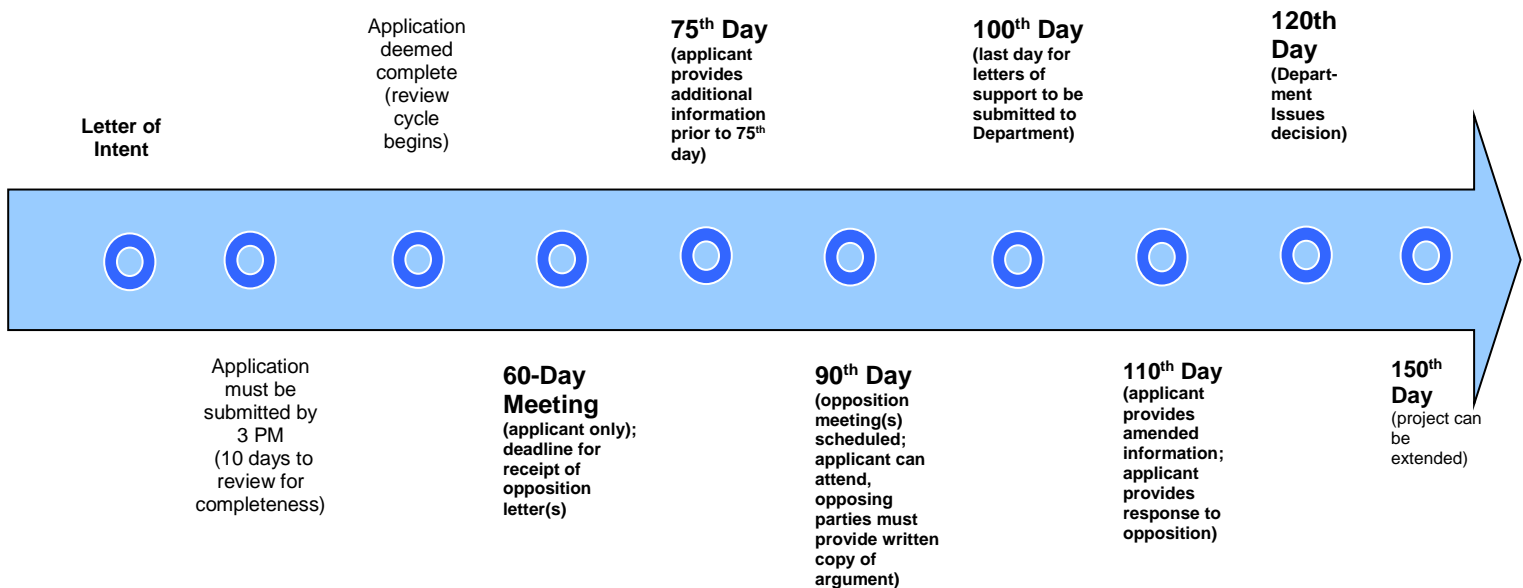
**BATCHED APPLICATIONS: SEQUENCE OF CERTIFICATE OF NEED APPLICATION REVIEW ACTIVITIES**

**SPRING CYCLE**



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

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



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

## Office of Health Planning Contact Information

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](mailto:rking1@dch.ga.gov))

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

For LNR/DET letters and for CON related matters please contact Roxana Tatman, Legal Director, Health Planning  
([rtatman@dch.ga.gov](mailto: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](http://www.georgiamap2care.info) To complete a survey, please visit [www.georgiahealthdata.info](http://www.georgiahealthdata.info).

**CON Thresholds** become effective annually on July 1. The current and effective thresholds can be found on the CON Thresholds page.

<http://dch.georgia.gov/con-thresholds>

## Special Note

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

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



## Open Record Requests

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

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

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

## Web Links

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

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

Please also visit [www.GaMap2Care.info](http://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](mailto:eoakley@gsu.edu)

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

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