

**STATE COMMISSION ON THE EFFICACY OF THE CON PROGRAM**

Twin Towers Building/200 Piedmont Avenue  
20<sup>th</sup> Floor, West Tower, Floyd Room  
Atlanta, Georgia

June 12, 2006; 11:00am – 2:00pm

Daniel W. Rahn, MD, Chair, Presiding

**MEMBERS PRESENT**

Jeff Anderson  
Senator Don Balfour  
Melvin Deese, MD  
Donna Johnson, Esq.  
Robert Lipson, MD  
Rhonda Meadows, MD  
Dan Maddock  
Daniel W. Rahn, MD  
Ronnie Rollins  
Joseph “Rusty” Ross, Esq.  
Representative Austin Scott

**GUESTS PRESENT**

Jimmy Lewis  
Gary Powell, DOAS  
Brian Looby, MAG  
Travis Looby, Resurgens  
Andrea Pendleton, Resurgens  
Shelia Humberstone, Troutman Sanders PAG  
Charlotte Combre, Powell Goldstein, LLP  
Payal Patel, Powell Goldstein, LLP  
Courtney Layfield, Georgia Dental Association  
Cynthia George, Phoebe Putney Health System  
Julie Windom, GACH  
Deb Bailey, Northeast Georgia Health System  
Helen Sloat, Nelson Mullins  
Lisa Norris, The Strategy House  
Jill Fike, Senate Research  
Tom Bauer, Honest Services for Aging  
Temple Sellers, Georgia Hospital Association  
Caareia Dayclett, GACH  
Scott Maxwell, Mathews & Maxwell  
Kim Menefee, WellStar  
Bonnie Wilson, WellStar  
Tizgel Mark, Powell Goldstein

**STAFF PRESENT**

Robyn Bussey  
Charemon Grant, JD  
Richard Greene, JD  
Matt Jarrard  
Robert Rozier, JD  
Rhathelia Stroud, JD  
Stephanie Taylor  
Doris Berry

**GUESTS PRESENT cont'd**

Tommy Chambless, GACH

Ellen Williams, SRMC

Bryan Fiveash, Fiveash-Stanley, Inc.

Christi Carmichael, Emory

Davis Dunbar, Piedmont

Brandon Larrabee, Morris News Service

Bryan Ginn, MCG

Mark Mullin, Gwinnett Health System

Jon Howell, GHCA

Linda Womack, Emory

Jay White, Chafin Consulting Group

Lori Jenkins, Phoebe Putney

Pat Ketsche, Georgia State University

William Custer, Georgia State University

John Critz, RCOG

Colleen Simm, RCOG

Dodie Putman, HCA

Tarry Hodges, St. Joe/Candler

## **WELCOME AND DISCUSSION OF CLOSED EXECUTIVE SESSION**

Dr. Daniel Rahn called the meeting to order at 11:05 am by greeting the Commission and guests. He explained that one component of this meeting will be the selection of a data consultant to assist the Commission with its work, and that this will take place in a closed session. He suggested that the minutes from the April 27<sup>th</sup> meeting be approved before adjourning to the closed executive session. A motion to accept the minutes from the April 27<sup>th</sup> meeting was made by Jeff Anderson and seconded by Ronnie Rollins. The motion was unanimously accepted by the Commission. A motion to adjourn to the closed executive session was made by Ronnie Rollins and seconded by Dan Maddock. The motion was unanimously accepted by the Commission. The meeting was closed at 11:10am.

## **RECONVENE OPEN SESSION**

Dr. Rahn reconvened the open session and explained that during the closed session the Commission reviewed responses to its requests for proposal and that the process associated with selecting a data consultant was complete.

## **SUBCOMMITTEE REPORTS**

Acute Care Services (Dan Maddock and Representative Austin Scott, Co-Chairs)

- Reviewed the CON regulations that relate to Acute Services
- took the umbrella approach as to what would fall under the guidelines as written
- submitted data information requests to forward to the consultants

Special & Other Services (Donna Johnson, JD and Rusty Ross, JD, Co-Chairs)

- did an overview of state health plan components that fall under special services
- made requests for internal/external data needs
- Donna Johnson asked that a letter received from Dr. Thomas Gadacz of the American College of Surgeons be appended to the subcommittee minutes

Long Term Care Services (Ronnie Rollins and Melvin Deese, MD, Co-Chairs)

- prepared a list of data requests to forward to the consultants

Legal and Regulatory Services (Senator Don Balfour and Robert Lipson, MD, Co-Chairs)

- discussed appeals process
- now developing questions about specific items to forward to the consultants

## **NEXT STEPS AND UPCOMING MEETING SCHEDULE**

Dr. Rahn said that Commission's next steps will be to finalize data consultant contracts and to proceed with each subcommittee's work in conjunction with the consultants. He discussed the Commission's future meeting schedules.

## **OTHER BUSINESS & ADJOURNMENT**

Mr. Rob Rozier announced that Stephanie Taylor will be leaving the Department after 11 years of service. He introduced Robyn Bussey and announced that she will serve as the liaison to the Commission. On the behalf of the Commission, Dr. Rahn thanked and commended Ms. Taylor for her service.

There being no other business, Dr. Rahn adjourned the meeting at 1:50pm. Minutes taken on behalf of chair by Robyn Bussey.

Respectfully Submitted,

Daniel W. Rahn, MD, Chair

**ATTACHMENT**



**State Commission on the Efficacy of the Certificate of Need Program**  
2 Peachtree Street, NW • 5<sup>th</sup> Floor • Atlanta, Georgia 30303

**SWORN AFFIDAVIT**

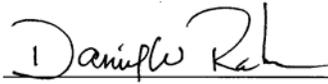
My name is Daniel W. Rahn, MD. I am an adult suffering from no known legal disabilities and I am competent to testify regarding the matters set forth herein based upon my personal knowledge. I am freely making this Affidavit in connection with requirements of the Open Meetings Act.

I serve as the Chair of the State Commission on the Efficacy of the Certificate of Need Program (the "Commission"). On June 12, 2006, at approximately 11:00 am, a quorum of the Commission, upon convening in an open forum, voted to meet in closed executive session for approximately two hours.

I aver that the subject matter of this closed executive session was devoted to matters within an exception provided by the Open Meetings Act, specifically that State Procurement Laws require that sealed competitive bids, and discussions relating thereto, are to remain confidential and non-public until such time as a contract has been awarded. See O.C.G.A. § 50-5-67(d).

I further attest that solely matters relating to a pending procurement were discussed during this closed executive session, and that upon conclusion of these discussions, the Commission reconvened in an open session to conduct the remainder of its scheduled business.

I will file this affidavit with the official meeting minutes of the Commission's June 12, 2006 meeting.

  
\_\_\_\_\_  
*Signature*

June 12, 2006  
*Date*

Subscribed and sworn to before me on  
this 12th day of June, 2006

  
\_\_\_\_\_  
*Notary Public*

My commission expires: \_\_\_\_\_

**ROBERT ROZIER**  
**NOTARY PUBLIC**  
DeKalb County  
State of Georgia  
My Comm. Expires March 16, 2010

(Notary Seal)