



**Division of Health Planning
Suite 34-262
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**REVISED
Certificate of Need Batching Review Cycle Notification
for Home Health Agencies
March 14, 2005**

Revisions: Day of week on Page 2 corrected to reflect Wednesday, April 13, 2005 and Friday, May 13, 2005.

This notice is issued in compliance with Rule 111-2-2-.08(1), Batching Review Process and in accordance with O.C.G.A. § 31-6-40.1(b).

The Department of Community Health, Office of General Counsel, will accept and review Certificate-of-Need applications for new or expanded Home Health Services for certain counties in one or more State Service Delivery Regions (SSDR), as outlined herein. Pursuant to Rule 111-2-2-.32(3)(b), the Division shall authorize the submission of applications for expanded Home Health Services if the net numerical need in a given planning area is 250 patients or more, or the submission of applications for new Home Health Services if the net numerical need in a given planning area is 500 patients or more.

The net numerical unmet need in the following State Service Delivery Region exceeds 250 patients but is less than 500, authorizing the Division to consider applications for **EXPANDED** Home Health Services only.

State Service Delivery Region 10 – Net Numerical Unmet Need: 420

An applicant must propose to provide service only within a geographic service area, as defined in the rules and component plans, comprised of a county or group of counties, each which reflects a numerical unmet need, and contained within the given planning area for which the Division has authorized the submission of applications. Applicants should note that the definition of *geographic service area* is different for an applicant seeking to provide expanded services and an applicant seeking to provide new services. The following counties within State Service Delivery Region 10 reflect a numerical unmet need, noted in parenthesis, and are the only counties potentially eligible for expanded services, as authorized in the SSDR. Applicants must propose to provide services in one or more of the counties reflecting unmet need, to equal or exceed the total number of patients at or above the level required for expanded Home Health Services. (Please note that the net numerical need is the sum of only those counties with unmet need and this total will exceed the net numerical unmet need for a given State Service Delivery Region, due to the omission of those counties that reflect a service surplus within the SSDR.)

State Service Delivery Region 10

- | | |
|----------------|---------------|
| Colquitt (288) | Miller (37) |
| Decatur (75) | Mitchell (41) |
| Early (102) | Thomas (218) |
| Grady (131) | Worth (34) |
| Lee (90) | |

All applications must be submitted in accordance with all provisions of Rule 111-2-2-.32, pursuant to O.C.G.A. § 31-6-2(2).

The Division will NOT accept or review applications for expanded Home Health Services filed pursuant to the exceptions to the need methodology referenced in Rule 111-2-2-.32(3)(c).

The Department's next assessment of the need for new or expanded services will occur during or before the month of **September, 2005**.

Notices of Intent

All parties interested in applying under the numerical need provisions must notify the Department of that party's intent to apply. The notice must be in writing and must address specifically whether the applicant intends to apply for a new or expanded service, the applicant's current service area (if applicable), the proposed geographic service area, and the proposed county or counties to be served. The Department will not accept any notices of intent submitted by either telephone, facsimile or e-mail pursuant to Rule 111-2-2-.08(1)(c)1. Pursuant to Rule 111-2-2-.08(1)(c)2, the notice of intent must be received by the Department no later than the close of business (5:00 P.M.) on **Wednesday, April 13, 2005**.

In the event that the Department fails to receive the notice of intent with the required information by the stated deadline, the interested party is automatically disqualified from applying during this batching cycle in accordance with Rule 111-2-2-.08(1)(c)4.

Submitting the Certificate -of-Need Application

Pursuant to Rule 111-2-2-.08(1)(d), to participate in this review cycle, any interested party must have, in the Department's office, a properly submitted application no later than 12:00 P.M. on **Friday, May 13, 2005**. For the purposes of batching only and pursuant to Rule 111-2-2-.08(1)(e), an application will be deemed properly submitted if the following requirements are met:

- A signed original application, three (3) signed copies of the original application, and the correct filing fee are submitted in the proper form pursuant to Rule 111-2-2-.06(2);
- The appropriate Certification Statement (a "Home Health Services Completeness Checklist") is submitted simultaneously with the original application; and
- All of the items addressed in the Certification Statement are provided, as certified, with the original application.
- Pursuant to Rule 111-2-2-.06(4)(b)8, the applicant must file another copy of the Certificate-of-Need application with the office of the county governing authority in the county where the existing or proposed agency will have its main administrative office. A letter from the county governing authority which confirms the filing should be submitted to the Department within the stated time period referenced above.

Filing Fees

Pursuant to Rule 111-2-2-.06(3), payment of a filing fee is required at the time the Certificate-of-Need application and three (3) copies are submitted to the Department. The amount of a filing fee is determined by the cost of a proposed project according to the following schedule.

- \$1,000 for projects with total costs of zero to \$1,000,000;
- One-tenth of one percent (0.001) of the total project costs for projects costing more than \$1,000,000; provided that,
- No filing fee shall exceed \$50,000.

In accordance with Rule 111-2-2-.06(3)(c), the Department will accept **only certified checks or money orders** made payable to the State of Georgia. Filing fees are deposited into the State Treasury, and they are refundable only in certain limited circumstances.

Application Forms

All necessary application forms are available from the Department's website. Notices of Intent should be submitted to the following address:

Certificate of Need- Batching Notices of Intent
Department of Community Health
Office of General Counsel
Two Peachtree Street, NW, 40th Floor
Atlanta, Georgia 30303-3142

A map of the State Service Delivery Regions, CON application, Home Health Services Batching Checklist and the Home Health Services Component Plan and Rules can be accessed from the Certificate of Need section of the Department's website. You may access the site at: www.dch.state.ga.us.

The Department will not accept any information or documents by telephone or facsimile in accordance with Rule 111-2-2-.06(5).

Batching Cycle Review Procedures

Pursuant to Rule 111-2-2-.08(1)(g), the batching review cycle will last 120 days. As a result, no party participating in the review process, including the Department, shall either request or be granted an extension of time past the 120th day. The first day of the batching review cycle is the day upon which all properly submitted applications are deemed to be received.

On or before the sixtieth (60th) day of the batching review cycle, the Department shall provide the applicant(s) an opportunity to meet with the Department. The Department will describe any issues with the application and provide an opportunity to the applicant(s) to amend or withdraw the application or to submit additional information. Any and all additional information must be submitted on or before the seventy-fifth (75th) day of the batching review cycle.

The last day for interested parties (including, but not limited to, competing applicant(s) and/or existing competing health care facilities) to submit letters of support or opposition addressing the underlying merits, or lack thereof, including any specific reasons for the opposition, of any pending application/s shall be the eighty-fifth (85th) day of the batching review cycle. Any letters of support and/or opposition that are received after the eighty-fifth (85th) day of the batching review cycle shall not be considered by the Department in its review of the pertinent application(s) and the letter(s) shall not become part of the master file compiled for the pertinent application(s). Letters of support and letters of opposition must pertain to only one application and one applicant. In no case shall the Department accept a letter of opposition or support that concerns multiple applicants or applications. Letters of opposition must be submitted pursuant to and in compliance with Rule 111-2-2-.06(5). Such requests shall also include one signed original of the written vendor lobbyist certification required by Rule 111-1-2-.03(2).

The last day for the applicant(s) to submit final amendments and responses to letters of opposition is the 110th day of the batching review cycle pursuant to Rule 111-2-2-.08(1)(g)5.

No later than the 120th day of the batching review cycle, the Department shall provide written notification of its decision to issue or deny a Certificate of Need to the pertinent applicant(s), pursuant to Rule 111-2-2-.08(1)(g)6 and in accordance with the review considerations in Rule 111-2-2-.32.