

March 22, 2005

**S 740. CERTIFICATE OF NEED AMENDMENTS. TO AMEND THE CERTIFICATE OF NEED LAWS.** As title indicates, deletes definition of “cardiac angioplasty equipment” and “oncology treatment center” in GS 131E-176 and adds definition of “cardiac catheterization services,” “kidney disease treatment center,” “linear accelerator,” “long-term care hospital,” and “simulator.” Provides that the opening of a hospice is included in the definition of “new institutional health services.” Repeals GS 131E-180 which required that health maintenance organizations obtain a certificate of need before offering new institutional health services. Amends GS 131E-185(a1) (review process) to require that any person (was, limited to “affected persons” as defined in GS 131E-188(c)) be given an opportunity to comment on certificate of need applications at public hearing. Makes technical corrections and conforming changes.

**Intro. by Rand.**

Ref. to Health Care

GS 131E

June 29, 2005

**S 740. CERTIFICATE OF NEED AMENDMENTS.** Intro. 3/22/05. House committee substitute makes the following changes to 1st edition. Amends GS 131E-188(c) to include in definition of “affected persons” individuals residing or using services within the service area or geographic area (was, persons residing within geographic area) to be served by applicant and any person (was, health service facilities and health maintenance organizations) who currently provides or has notified agency of an intention to provide services to those individuals that are similar to the services under review. Provides that amendments to GS 131E-176 are effective for hospices and hospice offices on December 31, 2005. Makes technical change.

July 12, 2005

**S 740. CERTIFICATE OF NEED AMENDMENTS.** Intro. 3/22/05. House committee substitute makes the following changes to 2nd edition. Provides that amendments to GS 131E-176(2f) and (2g) (redefining “cardiac catheterization equipment” and adding definition of “cardiac catheterization services”) do not preclude a person from furnishing cardiac catheterization equipment or providing catheterization services if authorized to do so by a settlement agreement entered into between person and the Dep’t of Health and Human Services prior to act’s effective date. Conforms title.

August 10, 2005

**S 740. CERTIFICATE OF NEED AMENDMENTS.** Intro. 3/22/05. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Adds exception to certificate of need required for cardiac catheterization services when the services are provided under an existing certificate of need issued for mobile cardiac catheterization equipment or pursuant to a settlement agreement executed with the Dep’t of Health and Human Services. Conforms title.

August 29, 2005

**SL 2005-325 (S 740). CERTIFICATE OF NEED AMENDMENTS. AN ACT TO AMEND THE CERTIFICATE OF NEED LAWS BY REQUIRING A CERTIFICATE OF NEED BEFORE OFFERING CARDIAC CATHETERIZATION SERVICES, EXCEPT WHEN DOING SO PURSUANT TO A SETTLEMENT AGREEMENT WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, REQUIRING HEALTH MAINTENANCE ORGANIZATIONS AND LONG-TERM CARE HOSPITALS TO OBTAIN A CERTIFICATE OF NEED, REQUIRING A CERTIFICATE OF NEED TO PURCHASE CERTAIN EQUIPMENT USED IN CANCER TREATMENT, REQUIRING A CERTIFICATE OF NEED FOR NEW HOSPICE OFFICES AFTER DECEMBER 31, 2005, CHANGING WHO ARE AFFECTED PERSONS ENTITLED TO APPEAL A CERTIFICATE OF NEED DECISION, AUTHORIZING THE FURNISHING OF CARDIAC CATHETERIZATION EQUIPMENT OR SERVICES PURSUANT TO SETTLEMENT**

*AGREEMENTS WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND MAKING OTHER TECHNICAL CHANGES.* Summarized in *Daily Bulletin* 3/22/05, 6/29/05, 7/12/05, and 8/10/05. Enacted August 26, 2005. GS 131E-176(2f), as amended by Section 1, is effective for hospices and hospice offices December 1, 2005. The remainder of this act is effective August 26, 2005.