

March 5, 2009

H 436. FAIRNESS IN CON DETERMINATIONS/INFLATION ADJ. Filed 3/5/09. *TO REQUIRE THAT THE CAPITAL EXPENDITURE AMOUNT FOR NEW INSTITUTIONAL HEALTH SERVICES AND REPLACEMENT EQUIPMENT UNDER THE CERTIFICATE OF NEED LAW BE ADJUSTED ANNUALLY FOR INFLATION.*

Amends GS 131E-176(16)b. and 131E-176(22a) to increase the capital expenditure thresholds to \$2,878,186 (was \$2,000,000) and to adjust it annually for inflation. Applies to proposals or applications for replacement equipment pending in the Department of Health and Human Services on and after the date the act becomes law. Requires the cost to be adjusted for inflation on and after the act's effective date.

Intro. by Folwell, Lewis, Boles.

GS 131E

May 7, 2009

H 436. FAIRNESS IN CON DETERMINATIONS/INFLATION ADJ. Filed 3/5/09. House committee substitute makes the following changes to 1st edition. Deletes whereas clauses. Adds a new subsection GS 131E-184(e), which requires the Department of Health and Human Services (DHHS) to exempt from certificate of need review a capital expenditure exceeding \$2 million if (1) the proposed capital expenditure would be used solely to renovate or replace an existing nursing home facility, adult care facility, or intermediate care facility for the mentally retarded; (2) the expenditure will not result in a change in bed capacity or the addition of a health service facility or any other new institutional health service other than that allowed in the new GS 131E-176(16)(b); and (3) the entity proposing to incur the expenditure provides prior written notice to DHHS. Deletes Section 2 of the 1st edition. Makes technical and conforming changes. Changes the title to *AN ACT TO EXEMPT FROM CERTIFICATE OF NEED REVIEW CERTAIN CAPITAL EXPENDITURES FOR NURSING HOMES, ADULT CARE HOMES, AND INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED THAT ENTAIL INNOVATIVE RENOVATIONS AND EXPANSIONS TO IMPROVE QUALITY OF LIFE.*

May 27, 2009

H 436. FAIRNESS IN CON DETERMINATIONS/INFLATION ADJ. Filed 3/5/09. Senate committee substitute makes the following changes to 2nd edition. Clarifies in GS 131E-184(e) that an exemption from certificate of need review for capital expenditures over the \$2 million threshold is for proposed capital expenditures that would be used solely for the purpose of renovating, replacing *on the same site*, or expanding existing specified facilities, if other listed conditions are met. Also makes a technical change.

June 22, 2009

SL 2009-145 (H 436). FAIRNESS IN CON DETERMINATIONS/INFLATION ADJUSTMENTS. *AN ACT TO EXEMPT FROM CERTIFICATE OF NEED REVIEW CERTAIN CAPITAL EXPENDITURES FOR NURSING HOMES, ADULT CARE HOMES, AND INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED THAT ENTAIL INNOVATIVE RENOVATIONS AND EXPANSIONS TO IMPROVE QUALITY OF LIFE.* Summarized in *Daily Bulletin* 3/5/09, 5/7/09, and 5/27/09. Enacted June 19, 2009. Effective June 19, 2009.