**GENERAL ASSEMBLY OF NORTH CAROLINA**
**SESSION 2013**

**H** **D**

**HOUSE BILL 177**
**PROPOSED COMMITTEE SUBSTITUTE H177-PCS30535-RF-23**

Short Title: Amend Certificate of Need Laws. (Public)

Sponsors:

Referred to:

February 28, 2013

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FEDERAL AND STATE BARRIERS TO A MARKET-BASED HEALTH CARE DELIVERY SYSTEM, TO COMPARE HOSPITAL-BASED OPERATING ROOM AND AMBULATORY SURGICAL CENTERS AS A VENUE FOR THE PROVISION OF SURGICAL SERVICES, TO STUDY NORTH CAROLINA'S CERTIFICATE OF NEED PROGRAM IN COMPARISON WITH OTHER STATES, AND TO STUDY OTHER RELATED CERTIFICATE OF NEED ISSUES.

The General Assembly of North Carolina enacts:

**SECTION 1.** The Legislative Research Commission is authorized to conduct a study of the State's health care delivery system and certificate of need law. The study shall include:

(1) A study of barriers to a market-based health care delivery system from the federal level, including:
   a. Federal health care laws.
   b. Federal regulation of health care service delivery.
   c. Federal reimbursement issues.

(2) A study of barriers to a market-based health care delivery system at the State level including:
   a. State health care laws.
   b. State regulation of health service delivery.
   c. State reimbursement issues.

(3) A comparison of same day surgery offered by hospital-based or hospital-owned operating rooms and nonhospital-based ambulatory surgical centers. The comparison shall include the following factors: cost, quality of care, availability, and charity care.

(4) A study of the North Carolina certificate of need law in comparison to other states both with and without certificate of need programs.

(5) Any other issues pertinent to this study.

**SECTION 2.** The Legislative Research Commission may make an interim report, including recommended legislation, to the 2014 General Assembly and shall make a final report to the 2015 General Assembly.

**SECTION 3.** This act is effective when it becomes law.