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**HOUSE BILL NO. 348**

Offered January 13, 2016

Prefiled January 5, 2016

A *BILL to amend the Code of Virginia by adding a section numbered 32.1-102.3:1.2, relating to certificate of public need; exception for certain equipment and services.*

Patrons—Byron, LaRock and Peace

Referred to Committee on Health, Welfare and Institutions

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 32.1-102.3:1.2 as follows:**

**§ 32.1-102.3:1.2. Application for certificate not required for certain services or equipment.**

A certificate of public need shall not be required for (i) the addition by any existing medical care facility of any new cardiac catheterization, computed tomographic (CT) scanning, stereotactic radiosurgery, lithotripsy, magnetic resonance imaging (MRI), magnetic source imaging (MSI), open heart surgery, positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy, proton beam therapy, nuclear medicine imaging, or other specialized service designated by the Board by regulation or (ii) the addition by any existing medical care facility of any new medical equipment for the provision of cardiac catheterization, computed tomographic (CT) scanning, stereotactic radiosurgery, lithotripsy, magnetic resonance imaging (MRI), magnetic source imaging (MSI), open heart surgery, positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy, proton beam therapy, nuclear medicine imaging, or other specialized service designated by the Board by regulations if the specialized medical care facility complies with quality of care standards and charity care requirements established by the Board, which shall include requirements for:

1. Accreditation from the appropriate accrediting body for the provision of cardiac catheterization, computed tomographic (CT) scanning, stereotactic radiosurgery, lithotripsy, magnetic resonance imaging (MRI), magnetic source imaging (MSI), open heart surgery, positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy, proton beam therapy, nuclear medicine imaging, or other specialized service designated by the Board by regulation;

2. Adherence to quality of care standards for the specific specialty service that are consistent with nationally recognized standards of care for such specialty service;

3. Adherence to equipment standards and standards for appropriate utilization of equipment and services;

4. Provision of health care services to indigent individuals by the medical care facility in an amount that equals the average amount of indigent care services provided in accordance with the requirements of conditions on certificates of public need imposed pursuant to § 32.1-102.4 in the previous year in the health planning region in which the medical care facility is located; and

5. Monitoring compliance of the medical care facility with quality of care standards and charity care requirements, including data reporting and periodic inspections.

INTRODUCED

HB348