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HOUSE BILL NO. 832

Offered January 10, 2018

Prefiled January 9, 2018

A *BILL to exempt open heart services in Planning District 8 from the requirements of a certificate of public need.*

Patron—Bell, Richard P.

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. § 1. Notwithstanding Article 1.1 (§ 32.1-102.1 et seq.) of Chapter 4 of Title 32.1 of the Code of Virginia and any applicable regulations, the State Health Commissioner (the Commissioner) shall accept and review applications and may issue a certificate of public need for open heart services located in Planning District 8, provided that the following criteria are met:

1. The applicant is designated a Level II trauma center as of January 1, 2018;
2. The applicant has performed at least 1,200 diagnostic equivalent procedures as defined by 12VAC5-230-10 in each of the last three calendar years immediately preceding the application; and
3. The applicant agrees to comply with the standard charity care provisions imposed by the Commissioner applicable to the health planning region in which the proposed project is located.

§ 2. In determining whether to issue a certificate of public need to an applicant that meets the criteria of § 1, the Commissioner shall not deny the application for a certificate on the basis of the economic or service volumes impact on an existing provider of open heart services pursuant to § 32.1-102.3 of the Code of Virginia and applicable regulations unless the proposed project would reduce utilization or volume of services delivered by an existing open heart services provider, located within a 10 mile radius of the proposed new service, to below minimum levels necessary for clinical proficiency.

INTRODUCED

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