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SENATE BILL NO. 266

Offered January 10, 2018

Prefiled January 5, 2018

A BILL to exempt neonatal care services in Planning District 5 from the requirements of a certificate of public need.

Patrons—Suetterlein, Cosgrove, DeSteph, Dunnivant, McClellan, Petersen, Spruill and Edwards

Referred to Committee on Education and Health

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 of the Code of Virginia and any applicable regulations, the State Health Commissioner (Commissioner) shall accept and review applications and may issue a certificate of public need for new specialty neonatal care services located in Planning District 5, provided that the following criteria are met:*

1. The applicant filed an application for new neonatal special care services prior to January 1, 2017;

2. The applicant agrees as a condition of the certificate not to introduce neonatal sub-specialty care services at the location for which the certificate is issued without subsequently obtaining express authorization from the Commissioner through a separate application for such service; 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 economic or service volumes impact on an existing provider of neonatal special care 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 the existing provider of neonatal special care services in the planning district to below minimum levels necessary for clinical proficiency.*

INTRODUCED

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