



CERTIFICATE OF NEED REFORM

SECTION 1. DEFINITIONS.

(a) “Bed capacity” means space used exclusively for inpatient care, care at a health service facility, including space designed or remodeled for licensed inpatient beds even though temporarily not used for such purposes. The term “bed capacity” also refers to the number of dialysis stations in kidney disease treatment centers, including freestanding dialysis units.

(b) “Change in bed capacity” means:

(1) any relocation of health service facility beds, or dialysis station beds from one licensed facility or campus to another, or

(2) any redistribution of health service facility bed capacity among the categories of health service facility bed, or

(3) any increase in the number of health service facility.

(c) “Health care Facilities” means facilities licensed or certified by a U.S. federal government agency or State agency including federally- and state-operated facilities and any government-operated site providing health care services established for the purpose of responding to a state-declared public health emergency or disaster.



(d) “Health service” means an organized, interrelated medical, diagnostic, therapeutic, and/or or rehabilitative activity, or any combination of these, that is integral to the prevention of disease or the clinical management of a sick, injured, or disabled person. “Health service” does not include administrative and other activities that are not integral to clinical management, or any activities performed at a facility that does not meet the definition of a health service facility.

(e) “Health service facility” means a hospital; long-term care hospital; psychiatric facility; rehabilitation facility; nursing home facility; adult care home; kidney disease treatment center, including freestanding hemodialysis units; intermediate care facility for the mentally retarded; home health agency office; chemical dependency treatment facility; diagnostic center; hospice office, hospice inpatient facility, and hospice residential care facility; or ambulatory surgical facility.

(f) “Health service facility bed” means a bed licensed for use in a health service facility in the categories of:

- (1) acute care beds;
- (2) psychiatric beds;
- (3) 21 rehabilitation beds;
- (4) nursing home beds;
- (5) intermediate care beds for the developmentally disabled;
- (6) chemical dependency treatment beds;
- (7) hospice inpatient facility beds;
- (8) hospice residential care facility beds;
- (9) adult care home beds; or
- (10) long-term care hospital beds.

SECTION 2. CON LAW REFORM.

(a) For 24 months from [DATE OF ENACTMENT], notwithstanding any other law, the economic impact of a new or expanded facility upon existing facilities shall not be a consideration for the granting or denial of any certificate of need.