



General Assembly

Amendment

January Session, 2025

LCO No. 9378



Offered by:

REP. KLARIDES-DITRIA, 105th Dist.

To: Subst. Senate Bill No. 7

File No. 604

Cal. No. 631

(As Amended)

"AN ACT CONCERNING PROTECTIONS FOR ACCESS TO HEALTH CARE AND THE EQUITABLE DELIVERY OF HEALTH CARE SERVICES IN THE STATE."

1 Strike section 24 in its entirety and insert the following in lieu thereof:

2 "Sec. 24. Subsection (a) of section 19a-638 of the general statutes is
3 repealed and the following is substituted in lieu thereof (*Effective from*
4 *passage*):

5 (a) A certificate of need issued by the unit shall be required for:

6 (1) The establishment of a new health care facility;

7 (2) A transfer of ownership of a health care facility;

8 (3) A transfer of ownership of a large group practice to any entity
9 other than a (A) physician, or (B) group of two or more physicians,
10 legally organized in a partnership, professional corporation or limited

11 liability company formed to render professional services and not
12 employed by or an affiliate of any hospital, medical foundation,
13 insurance company or other similar entity;

14 (4) The establishment of a freestanding emergency department;

15 (5) The termination of inpatient or outpatient services offered by a
16 hospital, including, but not limited to, the termination by a short-term
17 acute care general hospital or children's hospital of inpatient and
18 outpatient mental health and substance abuse services;

19 (6) The establishment of an outpatient surgical facility, as defined in
20 section 19a-493b, or as established by a short-term acute care general
21 hospital;

22 (7) The termination of surgical services by an outpatient surgical
23 facility, as defined in section 19a-493b, or a facility that provides
24 outpatient surgical services as part of the outpatient surgery department
25 of a short-term acute care general hospital, provided termination of
26 outpatient surgical services due to (A) insufficient patient volume, or (B)
27 the termination of any subspecialty surgical service, shall not require
28 certificate of need approval;

29 (8) The termination of an emergency department by a short-term
30 acute care general hospital;

31 (9) The establishment of cardiac services, including inpatient and
32 outpatient cardiac catheterization, interventional cardiology and
33 cardiovascular surgery;

34 (10) The acquisition of computed tomography scanners, magnetic
35 resonance imaging scanners, positron emission tomography scanners or
36 positron emission tomography-computed tomography scanners, by any
37 person, physician, provider, short-term acute care general hospital or
38 children's hospital, except (A) as provided for in subdivision (22) of
39 subsection (b) of this section, and (B) a certificate of need issued by the
40 unit shall not be required where such scanner is a replacement for a

41 scanner that was previously acquired through certificate of need
42 approval or a certificate of need determination, including a replacement
43 scanner that has dual modalities or functionalities if the applicant
44 already offers similar imaging services for each of the scanner's
45 modalities or functionalities that will be utilized;

46 (11) The acquisition of nonhospital based linear accelerators, except a
47 certificate of need issued by the unit shall not be required where such
48 accelerator is a replacement for an accelerator that was previously
49 acquired through certificate of need approval or a certificate of need
50 determination;

51 (12) An increase in the licensed bed capacity of a health care facility,
52 except as provided in subdivision (23) of subsection (b) of this section;

53 (13) The acquisition of equipment utilizing technology that has not
54 previously been utilized in the state;

55 (14) An increase of two or more operating rooms within any three-
56 year period, commencing on and after October 1, 2010, by an outpatient
57 surgical facility, as defined in section 19a-493b, or by a short-term acute
58 care general hospital; [and]

59 (15) The termination of inpatient or outpatient services offered by a
60 hospital or other facility or institution operated by the state that
61 provides services that are eligible for reimbursement under Title XVIII
62 or XIX of the federal Social Security Act, 42 USC 301, as amended; and

63 (16) The establishment of an overdose prevention center through the
64 pilot program established pursuant to section 23 of this act."