

FISCAL NOTE

Bill #: SB0221

Title: Eliminate certificate of need laws

**Primary
Sponsor:** Royal Johnson

Status: Second Reading

Sponsor Signature Date

Chuck Swysgood, Budget Director Date

Fiscal Summary

	FY2002 <u>Difference</u>	FY2003 <u>Difference</u>
Expenditures:	0	0
Revenue:	0	0
Net Impact on General Fund Balance:	\$0	\$0

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
	X	Significant Local Gov. Impact		X	Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts
	X	Dedicated Revenue Form Attached		X	Family Impact Form Attached

Fiscal Analysis

ASSUMPTIONS:

Department of Public Health and Human Services

HP&SD – Program 07

1. The existing funds in the executive budget will continue to support the certificate of need program.
2. There will be no fiscal impact to this division.

SLTC – Program 22

3. There will be no fiscal impact to this division.

TECHNICAL NOTES:

The definition in the bill of “health care facility”, subsection (2)(a) contains language that may potentially define classifications of CON coverage inaccurately. Currently language in subsection (2)(a)(iii) refers to “nonfederal home health agencies”, “rehabilitation facility with inpatient services”, or “outpatient center for surgical services that has or is intended to qualify for medicare certification as an ambulatory surgical center pursuant to 42 CFD, part 416”. This implies that subcategories not included within the definition of “health care facility” may still be covered by CON (e.g. are rehabilitation facilities without inpatient services intended to be covered by CON?). In order to clarify the application of the categories, (2)(a)(iii) might be revised to say, [The term does not include:] “(iii) a home health agency, a rehabilitation facility, or an outpatient center for surgical services.”