1777 AMH CODY PATR 003

**HB 1777** - H AMD **209**

By Representative Cody

**ADOPTED 03/08/2019**

On page 8, beginning on line 15 after "(12)" strike all material through "rooms" on line 28 and insert "(a) An ambulatory surgical facility is exempt from all certificate of need requirements if the facility:

(i) Is an individual or group practice and, if the facility is a group practice, the privilege of using the facility is not extended to physicians outside the group practice;

(ii)Operated or received approval to operate, prior to January 19, 2018; and

(iii) Was exempt from certificate of need requirements prior to January 19, 2018, because the facility either:

(A) Was determined to be exempt from certificate of need requirements pursuant to a determination of reviewability issued by the department; or

(B) Was a single-specialty endoscopy center in existence prior to January 14, 2003, when the department determined that endoscopy procedures were surgeries for purposes of certificate of need.

(b)  The exemption under this subsection:

(i) Applies regardless of future changes of ownership, corporate structure, or affiliations of the individual or group practice as long as the use of the facility remains limited to physicians in the group practice; and

(ii) Does not apply to changes in services, specialties, or number of operating rooms"

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|  | EFFECT: Expands the certificate of need exemption to include facilities approved to operate prior to January 19, 2018, and individual practices. Limits the endoscopy center exemption to only single-specialty centers. Makes non-substantive structural and grammatical changes. |

**--- END ---**