
A BILL FOR AN ACT

RELATING TO CERTIFICATE OF NEED.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the state health
2 planning and development agency currently uses the following
3 criteria when judging the merits of an application for a
4 certificate of need:

5 (1) Relationship of the proposal to the Hawaii health
6 performance plan;

7 (2) The need that the population served or to be served
8 has for the services proposed to be offered or
9 expanded, and the extent to which all residents of the
10 area, and in particular the elderly, low-income
11 persons, racial and ethnic minorities, women, persons
12 with disabilities, and other underserved groups are
13 likely to have access to those services;

14 (3) In the case of a reduction, elimination, or relocation
15 of a facility or service:

16 (A) The need that the population presently serviced
17 has for the service;



- 1 (B) The extent to which that need will be met
- 2 adequately by the proposed relocation or by
- 3 alternative arrangements; and
- 4 (C) The effect of the reduction, elimination, or
- 5 relocation of the service on the ability of the
- 6 elderly, low-income persons, racial and ethnic
- 7 minorities, women, persons with disabilities, and
- 8 other underserved groups to obtain needed health
- 9 care;
- 10 (4) The applicant's compliance with federal and state
- 11 licensure and certification requirements;
- 12 (5) The quality of the health care services proposed;
- 13 (6) In the case of existing health care services or
- 14 facilities, the quality of care provided by those
- 15 facilities in the past;
- 16 (7) The probable impact of the proposal on the overall
- 17 costs of health care services to the community;
- 18 (8) The probable impact of the proposal on the costs of
- 19 and charges for providing health care services by the
- 20 applicant;
- 21 (9) The immediate and long-term financial feasibility of
- 22 the proposal;



- 1 (10) The relationship of the proposal to the existing
- 2 health care system of the area;
- 3 (11) The availability of less costly or more effective
- 4 alternative methods of providing services; and
- 5 (12) The availability of resources (including health
- 6 personnel, management personnel, and funds for capital
- 7 and operating needs) for the provision of the services
- 8 proposed to be provided and the need for alternative
- 9 uses of these resources as identified by the Hawaii
- 10 health performance plan.

11 The purpose of this Act is to require the state health
 12 planning and development agency to include the criterion of
 13 impacts on the community in its determination of approval or
 14 denial of an application for a certificate of need.

15 SECTION 2. Chapter 323D, Hawaii Revised Statutes, is
 16 amended by adding a new section to be appropriately designated
 17 and to read as follows:

18 "§323D- Certificate of need; criteria. The state agency
 19 shall adopt rules in accordance with chapter 91 to include the
 20 criterion of impacts on the community, among any other criteria
 21 used by the state agency, in the state agency's determination of
 22 approval or denial of an application for a certificate of need."




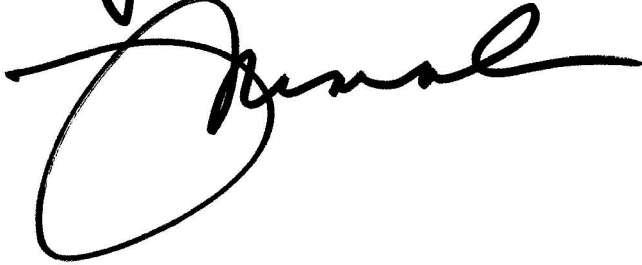


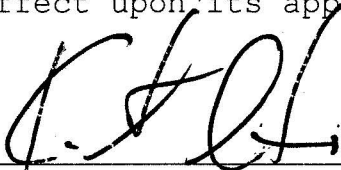






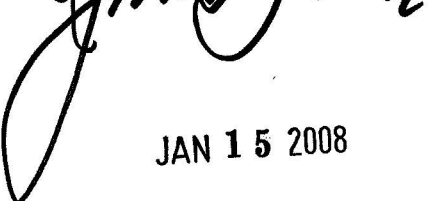
1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

JAN 15 2008



Report Title:

Certificate of Need; Criteria for Approval; Community Impacts

Description:

Requires state health planning and development agency to evaluate community impacts, in addition to its current criteria, when considering for approval or denial an application for a certificate of need.

