

Alabama

Health Care Facility Licensing/Certification Agency: [Alabama Health Planning and Development Agency](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1979-present

Facilities Regulated Under certificate of need law:

- Nursing homes
- In-patient hospice beds
- General and specialized hospitals, including:
 - a. Tuberculosis
 - b. Psychiatric
 - c. Long-term care, and
 - d. Other types of hospitals, and
 - i. related facilities such as:
 - 1. Laboratories,
 - 2. Out-patient clinics, and
 - 3. Central service facilities operated in connection with hospitals
- Skilled nursing facilities
- Intermediate care facilities
- Skilled or intermediate care units operated in veterans' nursing homes and veterans' homes, owned or operated by the State Department of Veterans' Affairs rehabilitation centers
- Public health centers
- Facilities for surgical treatment of patients not requiring hospitalization
- Kidney disease treatment centers, including free-standing hemodialysis units
- Community mental health centers and related facilities
- Alcohol and drug abuse facilities
- Facilities for the developmentally disabled
- Hospice service providers
- Home health agencies and health maintenance organizations.

Alaska

Health Care Facility Licensing/Certification Agency: [Alaska Department of Health and Social Services
Division of Health Care Services](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1976-present

Facilities Regulated Under certificate of need law:

- Hospital
- Psychiatric hospital
- Independent diagnostic testing facility
- Residential psychiatric treatment center
- Tuberculosis hospital
- Skilled nursing facility
- Nursing homes and nursing home beds
- Kidney disease treatment center (including freestanding hemodialysis units)
- Intermediate care facility
- Ambulatory surgical facility

Arizona

Health Care Facility Licensing/Certification Agency: [Arizona Department of Health Services](#)
[Emergency Medical Services and Trauma System](#)

Has certificate of need law? No*

Dates of certificate of need program: 1983-present; 1971-1985

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A*

Notes:

*Although Arizona does not officially have a Certificate of Need program, the state maintains an approval program for ambulance services and ambulances.

Arkansas

Health Care Facility Licensing/Certification Agency: [Arkansas Health Services Permit Agency](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1975-present

[Facilities](#) Regulated Under certificate of need law:

- Nursing Homes
- Residential Care Facilities
- Assisted Living Facilities
- Home Health and Hospice Agencies
- Psychiatric Residential Care Facilities
- Intermediate Care Facilities for the Mentally Retarded (ICF/MR)

Moratoria:

- ICF/MR
- Psychiatric Residential Facilities
- Residential Care Facilities

California

Health Care Facility Licensing/Certification Agency: [California Office of Statewide Health Planning and Development
Facilities Development Division](#)

Has certificate of need law? No

Dates of certificate of need program: 1969-1987

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Colorado

Health Care Facility Licensing/Certification Agency: [Colorado Department of Public Health & Environment
Health Facilities and Emergency Medical Services Division](#)

Has certificate of need law? No

Dates of certificate of need program: 1973-1987

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Connecticut

Health Care Facility Licensing/Certification Agency: [Connecticut Department of Public Health
Office of Health Care Access](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1973-present

Facilities Regulated Under certificate of need law:

- Establishment of a new health care facility
- Establishment of an outpatient surgical facility
- Establishment of a freestanding emergency department
- Transfer of ownership of a health care facility
- Termination of inpatient or outpatient mental health or substance service by a short-term acute care general hospital or children's hospital
- Transfer of ownership of a group practice to any entity other than a physician or group of physicians
- The termination of surgical services by an outpatient surgical facility
- Termination of an emergency department by a short-term acute care general hospital
- Establishment of cardiac services
- Computed tomography (CT) scanners
- Magnetic resonance imaging (MRI) scanners,
- Positron emission tomography (PET) scanners or positron emission tomography-computed tomography (PET/CT) scanners,
- Nonhospital based linear accelerators
- Increase in licensed bed capacity
- Increase in operating rooms by an outpatient surgical facility
- The termination of inpatient or outpatient services offered by a hospital or other facility or institution operated by the state that provides services that are eligible for reimbursement under Title XVIII or XIX of the federal Social Security Act, 42 USC 301
- The acquisition of equipment utilizing technology that has not previously been utilized in the state

Delaware

Health Care Facility Licensing/Certification Agency: [Delaware Health Resources Board](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1978-present

Facilities Regulated Under certificate of need law:

- Hospitals
- Nursing homes
- Freestanding birthing centers
- Freestanding surgical centers
- Freestanding acute inpatient rehabilitation hospitals
- Freestanding emergency centers
- Continual care communities and any other nontraditional, long-term care facilities identified by the Department of Health and Social Services or the Delaware Health Care Commission
- Acquisitions of major medical equipment

Moratoria:

No additional hospitals offering medical/surgical or obstetrical beds shall be established for five years (2014).

Florida

Health Care Facility Licensing/Certification Agency: [Florida Agency for Health Care Administration](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1973-present

Facilities Regulated Under certificate of need law:

- Increase in acute hospital beds
- Increase in beds for intermediate care facilities for the developmentally disabled (ICF/DD)
- Increase in community nursing home care beds,
- Increase in long-term care hospital beds
- Increase in mental health services beds
- Increase in hospital-based distinct part skilled nursing unit beds
- Addition of beds by new construction or alteration
- Establishment of tertiary health services, including:
 - Heart transplantation
 - Kidney transplantation
 - Liver transplantation
 - Bone marrow transplantation
 - Lung transplantation
 - Pancreas and islet cells transplantation
 - Heart/lung transplantation
 - Adult open heart surgery;
 - Neonatal and pediatric cardiac and vascular surgery; and
 - Pediatric oncology and hematology.
- New construction or establishment of additional health care facilities, including a replacement health care facility when the proposed project site is not located on the same site as the existing health care facility
- Conversion from one type of health care facility to another
- Increase in the total licensed bed capacity of a health care facility
- Establishment of a hospice or hospice inpatient facility
- Establishment of inpatient health services by a health care facility, or a substantial change in such services
- Increase in specialty burn unit beds
- Increase in comprehensive rehabilitation beds

Notes:

- [Moratorium](#) on nursing homes lifted in 2015 “after nearly 14 years.”

Georgia

Health Care Facility Licensing/Certification Agency: [Georgia Department of Community Health
Office of Health Planning](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1979-present

Facilities Regulated Under certificate of need law:

- Hospitals
- Destination cancer hospitals
- Other special care units, including but not limited to:
 - Podiatric facilities
 - Skilled nursing facilities
 - Intermediate care facilities
 - Personal care homes
 - Ambulatory surgical or obstetrical facilities
 - Health maintenance organizations
 - Home health agencies
 - Diagnostic, treatment, or rehabilitation centers
- Construction, development, or other establishment of a new health care facility
- Any expenditure by or on behalf of a health care facility in excess of \$2.5 million which, under generally accepted accounting principles consistently applied, is a capital expenditure, except expenditures for acquisition of an existing health care facility not owned or operated by or on behalf of a political subdivision of this state, or any combination of such political subdivisions, or by or on behalf of a hospital authority
- The purchase or lease by or on behalf of a health care facility or a diagnostic, treatment, or rehabilitation center of diagnostic or therapeutic equipment with a value in excess of \$1 million
- Any increase in the bed capacity of a health care facility
- Clinical health services which are offered in or through a health care facility, which were not offered on a regular basis in or through such health care facility within the 12 month period prior to the time such services would be offered
- Any conversion or upgrading of any general acute care hospital to a specialty hospital or of a facility such that it is converted from a type of facility not covered by this chapter to any of the types of health care facilities which are covered by this chapter
- Clinical health services which are offered in or through a diagnostic, treatment, or rehabilitation center which were not offered on a regular basis in or through that center within the 12 month period prior to the time such services would be offered, but only if the clinical health services are any of the following:
 - Radiation therapy
 - Biliary lithotripsy
 - Surgery in an operating room environment, including but not limited to ambulatory surgery, and
 - Cardiac catheterization

Hawaii

Health Care Facility Licensing/Certification Agency: [Hawaii Department of Health](#)
[State Health Planning & Development Agency](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1974-present

Facilities Regulated Under certificate of need law (Haw. Admin. Rules (HAR) § 11-186-5):

- Acute Bed Services
 - Medical/Surgical
 - Obstetrics
 - Pediatrics
 - Neonatal Intensive Care
 - Critical Care
 - Psychiatric
 - Acute/long term swing
- Long Term Bed Services
 - Psychiatric
 - Tuberculosis
 - Mental Retardation
 - Hansen's Disease
 - Children's Orthopedics
 - Rehabilitation
 - SNF
 - ICF
 - SNF/ICF
 - ICF/MR
 - Special Treatment Facility
 - Care Home
- Non-Bed Services
 - Outpatient Clinic
 - Emergency Room
 - Outpatient Surgery (Surgicenter)
 - Diagnostic Radiology
 - Computed Tomography Stationary
 - Computed Tomography Mobile
 - Nuclear Medicine
 - Ultrasound
 - Clinical Laboratory
 - Pharmacy
 - Social Services
 - Home Health Agency
 - Drug Rehabilitation
 - Alcohol Rehabilitation
 - Recompression Center
 - Mental Health Center
 - Family Planning Clinic
 - Prenatal Clinic
 - Abortion Clinic
- Surface Ambulance
- Fixed Wing Air Ambulance
- Helicopter Air Ambulance
- Birthing Center
- Extracorporeal Shock Wave Lithotripsy (ESWL)
- Magnetic Resonance Imaging (MRI) Stationary
- Magnetic Resonance Imaging (MRI) Mobile
- Freestanding Emergency Care Facility
- Comprehensive Outpatient Rehabilitation Facility
- Special Services
 - Chronic Renal Dialysis
 - Cardiac Catheterization
 - Burn Center
 - Neurosurgery
 - Heart Surgery
 - Transplant Surgery
 - Radiation Therapy
 - Hospice

Idaho

Health Care Facility Licensing/Certification Agency: [Idaho Department of Health & Welfare](#)

Has certificate of need law? No

Dates of certificate of need program: 1980-1983

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Illinois

Health Care Facility Licensing/Certification Agency: [Illinois Health Facilities and Services Review Board](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1974-present

Facilities Regulated Under certificate of need law:

- Hospitals
- Long-term care facilities
- Dialysis centers
- Ambulatory surgery centers
- Alternative health care delivery models
- Free standing emergency centers
- Birthing centers

Notes:

Long term care facilities no longer are required to submit a certificate of need for the discontinuation or a change of ownership of a long term care facility.

Indiana

Health Care Facility Licensing/Certification Agency: [Indiana State Department of Health](#)
[Health Care Quality and Regulatory Commission](#)

Has certificate of need law? No

Dates of certificate of need program: 1980-1996; 1997-1999

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Moratoria:

- Comprehensive Care Beds—effective for three years (2015)

Iowa

Health Care Facility Licensing/Certification Agency:

[Iowa Department of Public Health](#)
[State Health Facilities Council](#)

Has certificate of need law?

Yes

Dates of certificate of need program:

1977-present

Facilities Regulated Under certificate of need law:

- Hospitals
- Residential care facilities
- Nursing facilities
- Intermediate care facilities for persons with mental illness
- Intermediate care facilities for persons with an intellectual disability
- Organized outpatient health facilities
- Outpatient surgical facilities
- Community mental health facilities
- Birth centers
- Any acquisition by or on behalf of a health care provider or a group of health care providers of any piece of replacement equipment with a value in excess of one million five hundred thousand dollars, whether acquired by purchase, lease, or donation.
- Any acquisition by or on behalf of a health care provider or group of health care providers of any piece of equipment with a value in excess of one million five hundred thousand dollars, whether acquired by purchase, lease, or donation,

which results in the offering or development of a health service not previously provided. A mobile service provided on a contract basis is not considered to have been previously provided by a health care provider or group of health care providers.

- Any acquisition by or on behalf of an institutional health facility or a health maintenance organization of any piece of replacement equipment with a value in excess of one million five hundred thousand dollars, whether acquired by purchase, lease, or donation.
- Any acquisition by or on behalf of an institutional health facility or health maintenance organization of any piece of equipment with a value in excess of one million five hundred thousand dollars, whether acquired by purchase, lease, or donation, which results in the offering or development of a health service not previously provided. A mobile service provided on a contract basis is not

considered to have been previously provided by an institutional health facility.

- Any air transportation service for transportation of patients or medical personnel offered through an institutional health facility at a specific time but which was not offered on a regular basis in or through that institutional health facility within the twelve-month period prior to the specific time.
- Any mobile health service with a value in excess of one million five hundred thousand dollars.
- Any of the following:
 - Cardiac catheterization service.
 - Open heart surgical service.
 - Organ transplantation service.
 - Radiation therapy service applying ionizing radiation for the treatment of malignant disease using megavoltage external beam equipment.



Kansas

Health Care Facility Licensing/Certification Agency: [Kansas Department of Health and Environment Health Facilities Program](#)

Has certificate of need law? No

Dates of certificate of need program: 1972-1985

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Kentucky

Health Care Facility Licensing/Certification Agency: [Kentucky Cabinet for Health and Family Services](#)
[Division of Certificate of Need](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1972-present

Facilities [Regulated](#) Under certificate of need law:

- Hospitals
- Psychiatric hospitals
- Physical rehabilitation hospitals
- Chemical Dependency programs
- Tuberculosis hospitals
- Skilled nursing facilities
- Nursing Facilities
- Nursing homes
- Personal care homes
- Intermediate care facilities
- Family care homes
- Primary care centers
- Rural health clinics
- Outpatient clinics
- Ambulatory care facilities
- Ambulatory surgical centers
- Emergency care centers and services
- Ambulance providers
- Hospices
- Community centers for mental health or individuals with an intellectual disability
- Home health agencies
- Kidney disease treatment
- Centers and freestanding hemodialysis units
- Facilities and services owned and operated by health maintenance organizations directly providing health services subject to certificate of need, and others providing similarly organized services

Louisiana

Health Care Facility Licensing/Certification Agency: [Louisiana Department of Health](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1991-present

Facilities Regulated Under certificate of need law:

- Nursing facility beds
 - Skilled beds
 - IC-I and IC-II beds
- Intermediate care facility for the developmentally disabled (ICF/DD) beds
- Home and Community Based Services
 - Supervised Independent Living
 - Personal Care Attendant Services
 - Respite
- Adult Day Health Care facilities
- Adult Residential Care units

Moratoria:

- Adult Residential Care Providers (ARCP)
- Intermediate Care Facilities for the Developmentally Disabled (ICF/DD)
- Nursing Homes

Notes:

Refers to program as "Facility Need Review (FNR)."

Maine

Health Care Facility Licensing/Certification Agency: [Maine Department of Health and Human Services
Licensing and Regulatory Services
Health Care Oversight](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1978-present

Facilities Regulated Under certificate of need law:

- Hospitals
- Psychiatric hospitals
- Nursing facilities
- Kidney disease treatment centers, including a freestanding hemodialysis facilities
- Rehabilitation facility,
- Ambulatory surgical facilities
- Independent radiological service centers
- Independent cardiac catheterization centers
- Cancer treatment centers
- Clinically related services, that are, diagnostic, treatment, rehabilitation services, or nursing services provided by a nursing facility
- Alcohol abuse, drug abuse and mental health services
- Nursing facility beds
- Hospital swing beds
- Hospital licensed nursing beds
- Hospital nursing facility services

Maryland

Health Care Facility Licensing/Certification Agency: [Maryland Department of Health and Mental Hygiene](#)
[Maryland Health Care Commission](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1968-present

Facilities Regulated Under certificate of need law:

- Hospitals
- Limited service hospitals
- Ambulatory surgical facilities
- Rehabilitation facilities
- Home health agencies
- Hospices

Massachusetts

Health Care Facility Licensing/Certification Agency: [Massachusetts Executive Office of Health and Human Services \(EOHHS\)](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1972-present

Facilities Regulated Under certificate of need law:

- Hospitals
- Clinics
- Freestanding ambulatory surgery center licensed as a clinic
- Long-term care facility, including:
 - Convalescent or nursing homes
 - Rest homes
 - Charitable homes for the aged
 - Intermediate care facilities for the developmentally disabled (ICF/DD)
- Clinical laboratories
- Public medical institutions
- Addition or expansion of, or development of innovative services and new technology, non-acute care services, or ambulatory surgery (freestanding and in acute care hospitals)
 - Innovative services and new technology include:
 - Air Ambulance
 - Extracorporeal Membrane Oxygenation (ECMO)
 - Extracorporeal Shock Wave Lithotripter (for gallstones)
 - Invasive Cardiac Services (Open Heart Surgery and Left Ventricular Assist Devices)
 - Magnetic Resonance Imager (MRI)
 - Megavoltage Radiation Therapy
 - Neonatal Intensive Care Units (NICU)
 - Organ Transplantation
 - Positron Emission Tomography (PET)
 - Non-acute care services include:
 - Inpatient psychiatric services (in DPH licensed facilities)
 - Inpatient rehabilitation and chronic disease services
 - Substance abuse treatment (in acute care hospitals)
 - Long-term care (Level II and III beds)
 - Residential care (Level IV beds)

Notes:

Refers to program as "Determination of Need review (DoN)."

Michigan

Health Care Facility Licensing/Certification Agency: [Michigan Department of Health and Human Services](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1972-present

[Facilities](#) regulated under certificate of need law:

- Hospital
- Psychiatric Hospital or Unit
- Nursing Home
- Freestanding Surgical Outpatient Facility
- HMO (only for limited projects)
- Air Ambulance Services (Helicopters)
- Cardiac Catheterization Services
- Computed Tomography (CT) Scanner Services
- Hospital Beds
- Magnetic Resonance Imaging (MRI) Services
- Megavoltage Radiation Therapy (MRT) Services
- Neonatal Intensive Care Units (NICU)
- Nursing Home/Hospital Long-Term Care Beds
- Open Heart Surgery Services
- Positron Emission Tomography (PET) Scanner Services
- Psychiatric Beds and Services
- Surgical Services
- Transplantation Services:
 - Bone Marrow, including Peripheral Stem Cell
 - Heart/Lung & Liver
- Urinary Lithotripter Services

Minnesota

Health Care Facility Licensing/Certification Agency: [Minnesota Department of Health Health Care Facilities Program](#)

Has certificate of need law? No*

Dates of certificate of need program: 1971-1984

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Moratoria:

- [Hospitals](#) and hospital bed expansions
- [Nursing homes](#)
- [Radiation therapy](#) facilities (certain locations)

Notes:

Although Minnesota officially ended its CON program in 1984, the state retains several approval processes that function similarly. Minnesota has required proposals for new hospital construction or bed expansion to submit to an approval process known as “[public interest review](#)” since [2004](#). The state also requires Intermediate Care Facilities for the Developmentally Disabled (ICF/DD) to undergo a [local system needs planning](#) (LSNP) process administered by county authorities. The state also allows for [exceptions](#) to the moratorium on nursing homes via a process known as “Request for Information for Exceptions to the Moratorium on the Licensure and Certification of New Nursing Home Beds in Hardship Areas.”

Mississippi

Health Care Facility Licensing/Certification Agency: [Mississippi State Department of Health
Office of Health Policy and Planning](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1979-present

[Facilities](#) Regulated Under certificate of need law:

- Hospitals
- Long term care hospitals
- Psychiatric hospitals
- Chemical dependency hospitals
- Comprehensive medical rehabilitation facilities
- Skilled nursing facilities
- Intermediate care facilities
- Intermediate care facilities for the mentally retarded (ICF/MR)
- Psychiatric residential treatment facilities
- Pediatric skilled nursing facilities
- End stage renal disease facilities (including freestanding hemodialysis units)
- Ambulatory surgical facilities
- Home health agencies

Missouri

Health Care Facility Licensing/Certification Agency: [Missouri Department of Health & Senior Services](#)
[Missouri Health Facilities Review Committee](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1979-present

[Facilities](#) Regulated Under certificate of need law:

- Hospital long-term care beds
- Long term care hospitals
- Hospitals
- [Residential care facilities](#)
- Assisted living facilities
- Intermediate care facilities
- Skilled nursing facilities

Montana

Health Care Facility Licensing/Certification Agency: [Montana Department of Public Health and Human Services
Quality Assurance Division
Licensure Bureau](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1975-present

Facilities Regulated Under certificate of need law:

- Ambulatory surgical facilities proposed for counties with populations less than 20,000
- Home health agency services
- Inpatient chemical dependency facilities
- Intermediate care facilities for persons with mental retardation or developmental disabilities (ICFs/MR or DD)
- Nursing home services

Nebraska

Health Care Facility Licensing/Certification Agency: [Nebraska Department of Health & Human Services
Division of Public Health
Licensure Unit](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1975-present

Facilities Regulated Under certificate of need law:

- Nursing Home Beds/Long Term Care Beds
- Rehabilitation beds

Moratoria:

- Nursing Home Beds/Long Term Care Beds
- Rehabilitation beds

Nevada

Health Care Facility Licensing/Certification Agency: [Nevada Department of Health and Human Services](#)
[Nevada Division of Public and Behavioral Health \(DPBH\)](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1971-present

Facilities Regulated Under certificate of need law:

- Health facilities, such as:
 - Hospitals
 - Ambulatory surgical centers
 - Skilled nursing facilities
- Health maintenance organization services (NAC 439A.639)
- Medical helicopters services (N.R.S. 439A.104)

New Hampshire

Health Care Facility Licensing/Certification Agency: [New Hampshire Department of Health and Human Services Health Facilities Administration](#)

Has certificate of need law? No

Dates of certificate of need program: 1979-2016

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Notes:

The state's Certificate of Need program ended June 30, 2016.

New Jersey

Health Care Facility Licensing/Certification Agency: [State of New Jersey Department of Health](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1971-present

Facilities Regulated Under certificate of need law (N.J.A.C. 8:33–1.3):

- General hospital
- Special hospital
- Mental hospital
- Public health center
- Diagnostic center
- Treatment center
- Rehabilitation center
- Extended care facility
- Skilled nursing home
- Intermediate care facility
- Assisted living residence
- Comprehensive personal care facility
- Tuberculosis hospitals
- Chronic disease hospitals
- Maternity hospitals
- Outpatient clinics
- Dispensaries
- Home health care agencies
- Residential health care facilities
- Bioanalytical laboratories
- Central services facility serving one or more such institutions

Note:

- Long term care (LTC) applications subject to the issuance of a call for applications.

New Mexico

Health Care Facility Licensing/Certification Agency: [New Mexico Department of Health
Office of Facilities Management](#)

Has certificate of need law? No

Dates of certificate of need program: 1978-1983

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

New York

Health Care Facility Licensing/Certification Agency: [New York State Department of Health](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1966-present

[Facilities](#) Regulated Under certificate of need law:

- Hospitals
- Nursing Homes
- Diagnostic and Treatment Centers
- Ambulatory Surgery Centers
- Certified Home Health Agencies
- Long Term Home Health Care Programs
- Hospices
- Adult Care Facilities
- Adult Day Health Care Programs
- Certain health programs associated with the Office of Mental Health (OMH), Office of Mental Retardation & Developmental Disabilities (OMRDD) and the Office of Alcoholism and Substance Abuse Services (OASAS) also require CON review.

North Carolina

Health Care Facility Licensing/Certification Agency: [North Carolina Department of Health and Human Services](#)
[North Carolina Division of Health Service Regulation](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1978-present

Facilities Regulated Under certificate of need law:

- Adult Care Homes
- Ambulatory Surgical Facilities
- Chemical Dependency Treatment Facilities
- Diagnostic Centers
- Home Health Agencies
- Hospices
- Hospitals
- ICF/MR Facilities
- Kidney Disease Treatment Centers
- Nursing Home Facilities
- Psychiatric Facilities
- Rehabilitation Facilities

North Dakota

Health Care Facility Licensing/Certification Agency: [North Dakota Health Department
Division of Health Facilities](#)

Has certificate of need law? No

Dates of certificate of need program: 1971-1995

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Ohio

Health Care Facility Licensing/Certification Agency: [Ohio Department of Health](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1975-present

Facilities Regulated Under certificate of need law:

- Long term care facilities

Moratoria:

- Ohio has an effective, though not official, moratorium on long term care facilities.

Oklahoma

Health Care Facility Licensing/Certification Agency: [Oklahoma State Department of Health](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1971-present

Facilities Regulated Under certificate of need law:

- Long Term Care facilities
 - Nursing facilities
 - Specialized facilities for developmentally disabled clients
- Hospital-based skilled nursing units
- Psychiatric hospitals
- Psychiatric units
- Chemical Dependency units

Oregon

Health Care Facility Licensing/Certification Agency: [Oregon Health Authority
Public Health Division](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1971-present

Facilities Regulated Under certificate of need law:

- Hospitals
- Specialty inpatient care facilities in hospitals
- Long-term care facilities

Pennsylvania

Health Care Facility Licensing/Certification Agency: [Pennsylvania Department of Health](#)

Has certificate of need law? No

Dates of certificate of need program: 1979-1996

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Rhode Island

Health Care Facility Licensing/Certification Agency: [State of Rhode Island Department of Health
Center for Health Systems Policy and Regulation](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1968-present

Facilities Regulated Under certificate of need law:

- Freestanding emergency care facilities
- Outpatient kidney treatment centers
- Home Nursing Care Provider
- Inpatient rehabilitation center (including drug/alcohol treatment centers)
- Multi-practice physician ambulatory surgery center
- Multi-practice podiatry ambulatory surgery center
- Nursing facilities
- Hospital
- Home Care Provider
- Hospice Provider
- Organized ambulatory care facilities
- Outpatient birth centers

Moratoria:

- Nursing home beds

South Carolina

Health Care Facility Licensing/Certification Agency: [South Carolina Department of Health and Environmental Control](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1971-present

[Facilities](#) Regulated Under certificate of need law:

- Acute care hospitals
- Psychiatric hospitals
- Alcohol and substance abuse hospitals
- Nursing homes
- Ambulatory surgical facilities
- Rehabilitation facilities
- Residential treatment facilities for children and adolescents
- Intermediate care for the mentally retarded
- Inpatient hospice facilities
- Radiation therapy facilities

South Dakota

Health Care Facility Licensing/Certification Agency: [South Dakota Department of Health
Office of Health Facilities Licensure & Certification](#)

Has certificate of need law? No

Dates of certificate of need program: 1972-1988

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Tennessee

Health Care Facility Licensing/Certification Agency: [Tennessee Department of Health](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1973-present

Facilities Regulated Under certificate of need law:

- Hospital
- Nursing Home
- Recuperation Center
- Ambulatory Surgical Treatment Center (ASTC)
- Mental Health Hospital
- Intellectual Disability Institutional Habilitation Facility
- Home Care Organization (Home Health and Hospice)
- Outpatient Diagnostic Center (ODC)
- Rehabilitation Facility
- Residential Hospice
- Nonresidential Substitution-based Treatment Center for Opiate Addiction
- Birthing Center
- Burn Unit
- Neonatal Intensive Care Unit
- Open Heart Surgery
- Positron Emission Tomography
- Swing Beds
- Home Health
- Psychiatric (Inpatient);
- Rehabilitation (Inpatient)
- Cardiac Catheterization
- Linear Accelerator
- Hospice
- Opiate Addiction Treatment (Provided through a facility licensed as a nonresidential substitution-based treatment center for opiate addiction)
- Extracorporeal Lithotripsy
- Magnetic Resonance Imaging
- Acquisition of major medical equipment in which the cost exceeds \$2 million
- Discontinuation of obstetrics

Texas

Health Care Facility Licensing/Certification Agency: [Texas Department of State Health Services](#)

Has certificate of need law? No

Dates of certificate of need program: 1975-1985

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Utah

Health Care Facility Licensing/Certification Agency: [Utah Department of Health](#)
[Division of Health Systems Improvement](#)
[Bureau of Health Facility Licensing, Certification and Resident Assessment](#)

Has certificate of need law? No

Dates of certificate of need program: 1979-1984

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Vermont

Health Care Facility Licensing/Certification Agency: [State of Vermont Green Mountain Care Board](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1979-present

[Facilities](#) Regulated Under certificate of need law:

- Hospitals
 - a. General hospitals
 - b. Mental hospitals
 - c. Chronic disease facilities
 - d. Birthing centers
 - e. Maternity hospitals
 - f. Psychiatric facilities including any hospital conducted, maintained, or operated by the state of Vermont, or its subdivisions, or a duly authorized agency thereof
- Nursing homes
- Health maintenance organizations
- Home health agencies
- Outpatient diagnostic or therapy programs
- Kidney disease treatment centers
- Mental health agencies or centers
- Diagnostic imaging facilities
- Independent diagnostic laboratories
- Cardiac catheterization laboratories
- Radiation therapy facilities
- Inpatient or ambulatory surgical, diagnostic, or treatment centers

Virginia

Health Care Facility Licensing/Certification Agency:

[Virginia Department of Health](#)

Has certificate of need law?

Yes

Dates of certificate of need program:

1973-present

Facilities Regulated Under certificate of need law:

- General hospitals
- Sanitariums
- Nursing homes
- Intermediate care facilities, except those intermediate care facilities established for individuals with intellectual disability (ICF/MR) that have no more than 12 beds and are in an area identified as in need of residential services for individuals with intellectual disability in any plan of the Department of Behavioral Health and Developmental Services
- Extended care facilities
- Mental hospitals
- Facilities for individuals with intellectual disability
- Psychiatric hospitals and intermediate care facilities established primarily for the medical, psychiatric or psychological treatment and rehabilitation of individuals with substance abuse
- Specialized centers or clinics or that portion of a physician's office developed for the provision of:
 - outpatient or ambulatory surgery
 - cardiac catheterization
 - computed tomographic (CT) scanning
 - stereotactic radiosurgery
 - lithotripsy
 - magnetic resonance imaging (MRI)
 - magnetic source imaging (MSI)
 - positron emission tomographic (PET) scanning
 - radiation therapy
 - stereotactic radiotherapy
 - proton beam therapy
 - nuclear medicine imaging, except for the purpose of nuclear cardiac imaging
- Rehabilitation hospitals.
- Any facility licensed as a hospital



Washington

Health Care Facility Licensing/Certification Agency: [Washington State Department of Health](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1971-present

Facilities Regulated Under certificate of need law:

- Hospitals
 - Level I rehabilitation programs
 - Open heart surgery
 - Therapeutic cardiac catheterization
 - Organ transplantation specialty burn services
 - Intermediate care nursery and/or obstetric services
 - Level II neonatal intensive care nursery and/or obstetric services
- Level III specialized inpatient pediatric services
- Nursing homes
- Kidney dialysis centers
- Medicare or Medicaid home health agencies
- Medicare or Medicaid hospice agencies
- Ambulatory surgical centers
- Hospice care centers

West Virginia

Health Care Facility Licensing/Certification Agency: [West Virginia Health Care Authority](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1977-present

Facilities Regulated Under certificate of need law (W. Va. Code, § 16-2D-8):

- Birthing centers
- Radiation therapy services
- Computed tomography (CT) services
- Positron emission tomography (PET) services
- Cardiac surgery services
- Fixed magnetic resonance imaging (MRI) services
- Comprehensive medical rehabilitation services
- Ambulatory care centers
- Ambulatory surgical centers
- Diagnostic imaging services
- Cardiac catheterization services
- Kidney disease treatment centers, including freestanding hemodialysis units
- Megavoltage radiation therapy services
- Surgical services
- Operating rooms
- Acute care beds
- Intellectual developmental disabilities services;
- Organ and tissue transplant services
- Intermediate care facilities for individuals with intellectual disabilities
- Inpatient services
- Hospice services
- Home health agencies
- Personal care services

Moratoria:

- In-home personal care services

Wisconsin

Health Care Facility Licensing/Certification Agency: [Wisconsin Department of Health Services](#)

Has certificate of need law? No*

Dates of certificate of need program: N/A

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

Note:

*The term "Certificate of Need" is not used in the relevant statutes, however the state maintains an approval process for [nursing homes](#). The state also has a Certificate of Public Advantage program for cooperative provider agreements.

Wyoming

Health Care Facility Licensing/Certification Agency: [Wyoming Department of Health
Healthcare Licensing and Surveys](#)

Has certificate of need law? No*

Dates of certificate of need program: 1977-1989

Number of types of facilities regulated under law: N/A

Facilities Regulated Under certificate of need law: N/A

District of Columbia

Health Care Facility Licensing/Certification Agency: [Government of the District of Columbia Department of Health Center for Policy, Planning and Evaluation](#)

Has certificate of need law? Yes

Dates of certificate of need program: 1977-present

[Facilities](#) Regulated Under certificate of need law:

- Home health or home nursing services
- Private general hospital
- Psychiatric hospital
- Other specialty hospital
- Rehabilitation facility
- Skilled nursing facility
- Intermediate care facility
- Ambulatory care center or clinic
- Ambulatory surgical facility
- Kidney disease treatment center
- Freestanding hemodialysis facility
- Diagnostic health care facility
- Home health agency, hospice, or other comparable health care facility which has an annual operating budget of at least \$500,000
- Any medical or clinical related service, including services that are diagnostic, curative or rehabilitative, as well as those related to alcohol abuse, drug abuse, inpatient mental health services, home health care, hospice care, medically supervised day care, and renal dialysis

Puerto Rico

Health Care Facility Licensing/Certification Agency: [Puerto Rico Department of Health
Division of Certificates of Convenience and Necessity](#)

Has certificate of need law? Yes

US Virgin Islands

Health Care Facility Licensing/Certification Agency: [United States Virgin Islands Department of Health](#)

Has certificate of need law? Yes