

## 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](#):

- General hospital
- Specialized hospital
  - Tuberculosis
  - Psychiatric
  - Long term care
  - Related facilities
    - Laboratories
    - Outpatient clinics
    - Central service facilities
- Skilled nursing facilities
- Intermediate care facilities
- Skilled or intermediate care units operated in veteran's nursing homes and veteran's homes
- Rehabilitation centers
- Public health centers
- Facilities for surgical treatment not requiring hospitalization
- Kidney disease treatment centers
  - Freestanding hemodialysis units
- Community mental health centers
- Alcohol and drug abuse facilities
- Facilities for the developmentally disabled
- Hospice service providers
- Home health agencies
- Health Maintenance Organizations

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

- Constructing, developing, acquiring or establishing a new health care facility or HMO
  - \$800,000 for new annual operating costs
  - \$4,000,000 for any other capital expenditures
- Capital expenditures greater than:
  - \$2,000,000 for major medical equipment
  - Changing bed capacity
  - Offering new health services



## 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:

1979 – present

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

- Acute care hospital
- Ambulatory surgical center
- Critical access hospital
- Independent diagnostic testing facility
- Intermediate care facility
- Intermediate care facility for the mentally retarded
- Kidney dialysis center
- Nursing facility
- Psychiatric hospital
- Residential psychiatric treatment center

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

- Constructing a health care facility
- Changing bed capacity
- Offering new health services
- Converting a building or part of a building to a nursing home requiring licensure.



## Arizona

Health Care Facility Licensing/Certification Agency:

[Arizona Department of Health Services / Emergency Medical Services & Trauma System](#)

Has certificate of need law?

No\*

Dates of certificate of need program:

1983 - present; 1971-1985

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

- Ambulatory services

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

- Operating an ambulance

\*Although Arizona does not operate an official certificate of need program, an application for ambulance services and ambulances must be filed with the Department of Health Services, Bureau of Emergency Medical Services & Trauma System.



## 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](#):

- Assisted living services
- Home health care services
- Hospice services
- Nursing facilities

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

- Constructing a nursing home
- Changing bed capacity
- Adding or expanding home health services
- Adding or expanding hospice services
- Increasing costs of an approved project
- Moving existing long-term care beds
- Moving the site location of a permit of approval
- Transferring a permit of approval, legal title or ownership



**California**

Health Care Facility Licensing/Certification Agency:

[California Office of Statewide Health Planning and Development](#)

Has certificate of need law?

No

Dates of certificate of need program:

1969-1987

Facilities regulated under certificate of need law:

N/A

Capital expenditures 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

Facilities regulated under certificate of need law:

N/A

Capital expenditures regulated under certificate of need law:

N/A



## Connecticut

Health Care Facility Licensing/Certification Agency:

[Connecticut State Office of Health Strategy](#)

Has certificate of need law?

Yes

Dates of certificate of need program:

1973 – present

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

- Hospitals licensed by the Department of Public Health
- Specialty hospitals
- Freestanding emergency departments
- Outpatient surgical facilities
- Hospitals or other facilities or institutions operated by the state that provides services that are eligible for reimbursement under Medicare and Medicaid
- Central service facilities
- Mental health facilities
- Substance abuse treatment facilities
- Any parent company, subsidiary, affiliate or joint venture, or any combination thereof, of any such facility.
- Intermediate care facilities for persons with intellectual disabilities
- Nursing homes
- Rest homes
- Residential care homes

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

- Establishing a new health care facility
- Transferring ownership of a health care facility
- Transferring ownership of a large group practices
- Establishing a freestanding emergency department
- Terminating inpatient or outpatient services
- Establishing an outpatient surgical facility
- Terminating surgical services by an outpatient surgical facility
- Terminating an emergency department by a short-term acute general hospital
- Establishing cardiac services
- Acquiring major medical equipment
- Acquiring nonhospital based linear accelerators
- Increasing licensed bed capacity
- Acquiring equipment utilizing technology that has not previously been utilized in the state
- Increasing two or more operating rooms within a three-year period
- Terminating inpatient or outpatient services offered by a hospital, facility or institution operated by the state



## Delaware

Health Care Facility Licensing/Certification Agency:

[Delaware Department of Health and Social Services / Health Care Commission, Health Resources Board](#)

Has certificate of need law?

Yes\*

Dates of certificate of need program:

1978-present

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

- Acute care facilities
  - Short-term medical services
  - Surgical services
- Obstetric care facilities
  - Labor
  - Delivery
  - Recovery
- Nursing home facilities
- Freestanding surgery center
  - Ambulatory surgery
- Acquisition of major medical equipment by health care facilities, as well as non-health care facilities

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

- Constructing, developing or establishing a new health care facility
- Acquiring a nonprofit health care facility
- Capital expenditures greater than \$5,800,000
- Changing the bed capacity of a health care facility by more than 10 beds or 10% of existing beds
- Acquiring major medical equipment

\*Delaware uses the term certificate of public review.





## 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](#):

- Hospices
- Skilled nursing facilities
- Intermediate care facilities for the developmentally disabled
- Class II hospitals
  - Specialty hospitals for children
  - Specialty hospitals for women
- Class III hospitals
  - Specialty medical hospitals
  - Specialty rehabilitation hospitals
  - Specialty psychiatric hospitals
  - Specialty substance abuse hospitals
- Class IV hospitals
  - Intensive Residential Treatment Programs for Children and Adolescents

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

- Adding beds in nursing homes or intermediate care facilities for the developmentally disabled
- Constructing or establishing additional health care facilities
- Converting from one type of health care facility to another
- Increasing the total licensed bed capacity for comprehensive rehabilitation facilities
- Establishing hospices or hospice inpatient facilities
- Establishing inpatient tertiary health services
- Increasing the number of beds for acute care in a hospital
- Increasing sheltered nursing home beds
- Transferring a certificate of need
- Replacing a nursing home
- Relocating a portion of the nursing home's licensed bed

\*Effective July 2019, general hospitals – including acute care facilities, long-term care facilities, and rural hospitals – are no longer subject to CON approval pursuant to [HB 21](#).



## 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
- Cancer hospitals
- Special care units
  - 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

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

- Establishing new hospitals, including general, acute care and specialty hospitals
- Establishing or expanding nursing homes and home health agencies
- All multi-specialty and certain single-specialty ambulatory surgery centers
- Providing radiation therapy, positron emission tomography, open heart surgery and neonatal services
- Purchasing or leasing major medical equipment that exceeds equipment thresholds
- Renovating major hospitals or other capital activities by any health care facility that exceed the capital expenditure thresholds
- Offering new health care services



## 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](#):

- Hospitals
- Extended care and rehabilitation centers
- Nursing homes
- Skilled nursing facilities
- Intermediate care facilities
- Hospices for the terminally ill that require certification and licensure by the department of health

- Kidney disease treatment centers
  - Freestanding hemodialysis units
- Outpatient clinics
- Organized ambulatory health care facilities
- Emergency care facilities and centers
- Home health agencies
- Health maintenance organizations
- Others providing similarly organized services regardless of nomenclature

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

- Constructing, expanding, altering, converting, developing, initiating or modifying a health care facility or health care services exceeding the expenditure minimum

- Substantially modifying or increasing the scope or type of health services rendered
- Change in bed capacity
- Relocating beds from one facility to another



**Idaho**

Health Care Facility Licensing/Certification Agency:

[Idaho Department of Health and Welfare](#)

Has certificate of need law?

No

Dates of certificate of need program:

1980-1983

Facilities regulated under certificate of need law:

N/A

Capital expenditures regulated under certificate of need law:

N/A



## Illinois

Health Care Facility Licensing/Certification Agency:

[Illinois Health Facilities & Services Review Board](#)

Has certificate of need law?

Yes\*

Dates of certificate of need program:

1974 - present

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

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

Capital expenditures regulated under [certificate of need laws](#):

- Constructing or modifying by or on behalf of a health care facility that exceeds the capital expenditure minimum for that facility:
  - \$13,171,045.98 for hospitals
  - \$7,444,502 for long-term care facilities
  - \$3,435,925.35 for other facilities
- Acquiring and housing of major medical equipment
- Offering a new category of service
- Substantially increasing a facility's bed capacity
- Substantial changing the scope or function operation of a facility

\*Long term care facilities are no longer required to submit a certificate of need for the discontinuation or a change of ownership of a long-term care facility pursuant to a 2018 amendment to the [Health Facilities and Services Board Rules](#).



## Indiana

Health Care Facility Licensing/Certification Agency:

[Indiana Department of Health / Consumer Services and Health Care Regulation](#)

Has certificate of need law?

Yes\*

Dates of certificate of need program:

1980-1996; 1997-1999; 2018 - present

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

- Comprehensive care facilities
  - Nursing homes

Capital expenditures regulated under [certificate of need laws](#):

- Adding, transferring or constructing comprehensive care beds
- Adding or transferring comprehensive care beds certified to participate in the state Medicaid program
- Converting to comprehensive care beds

\*Indiana enacted [SB 190](#) in 2018, a new certificate of need law. It requires the Office of Family and Social Services and the Department of Health to establish a comprehensive certificate of need program and sets for the application requirements and exceptions.



## 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 laws](#):

- 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

Capital expenditures regulated under [certificate of need laws](#):

- Constructing, developing or establishing a new institutional health facility
- Relocating an institutional health facility
- Capital expenditure, lease or donation by or on behalf of an institutional health facility greater than \$1,500,000
- Permanently changing bed capacity
- Offering a new health care service with an expenditure greater than \$500,000
- Closing of a health service
- Acquiring any piece of replacement equipment greater than \$500,000
- Acquiring any new piece of medical equipment greater than \$1,500,000
- Adding air transportation services
- Adding mobile health services greater than \$1,500,000
- Cardiac catheterizations services
- Open heart surgical services
- Organ transplantation services
- Radiation therapy services



**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

Facilities regulated under certificate of need:

N/A

Capital expenditures 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
- Nursing facilities
- Nursing homes'
- Personal care homes
- Intermediate care facilities
- Family care homes
- Outpatient clinics
- Ambulatory care facilities
- Ambulatory surgical centers
- Emergency care centers and services
- Ambulance providers
- Hospices
- Community mental health centers
- Homes health agencies
- Kidney disease treatment centers
  - Freestanding hemodialysis units
- Others providing similarly organized services regardless of nomenclature

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

- Establishing a health facility
- Capital expenditures greater than the adjusted capital expenditure minimum
- Substantially changing bed capacity
- Substantially changing a health service
- Substantially changing a project
- Acquiring major medical equipment
- Changing the geographical area or specific location which has been designated on a certificate of need or license
- Transferring an approved certificated of need for the Establishing a new health facility or replacement of a licensed facility



## 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-II and IC-II beds
- Intermediate care facility for the developmentally disabled
- Home and community-based services
  - Supervised independent living
  - Personal care attendant services
  - Respite
- Adult day health facilities
- Adult residential care units
- Behavioral health services providers

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

- Changing bed capacity
- Changing providers participating in the Medicaid program

\*Pursuant to La. Rev. Stat. Ann. § 40-2116, the Louisiana Department of Health administers a facility need review (FNR) process, which does not consider a certificate of need requirement.



## Maine

Health Care Facility Licensing/Certification Agency:

[Maine Department of Health and Human Services / Division of Licensing and Certification](#)

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
  - Freestanding hemodialysis facilities

- Rehabilitation facilities
- Ambulatory surgical facilities
- Independent radiological service centers
- Independent catheterization centers
- Cancer treatment centers

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

- Transferring ownership
- Acquiring major medical equipment
- Capital expenditures greater than \$10,000,000
- Offering a new health service

- Constructing, developing or establishing a new health care facility
- Changing bed capacity
- Any capital expenditures greater than \$5,000,000 for existing nursing facilities



## Maryland

Health Care Facility Licensing/Certification Agency:

[Maryland Department of Health / The 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
- Related institutions
- Ambulatory surgical facilities
- Rehabilitation facilities
- Home health agencies
- Hospices
- Other health institutions, services or programs that may be specified as requiring a CON

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

- Constructing, developing or establishing a new health care facility
- Relocating an existing health care facility
- Offering a new health care service including:
  - New open-heart surgery, organ transplant surgery, burn treatment or neonatal; intensive care program
  - New home health agency, general hospice care program or freestanding ambulatory surgical facility
  - Expansion of ambulatory surgical capacity
  - Establishing a new subunit in an existing home health agency
  - Expansion of a home health agency
  - Transfer of ownership of a subunit or a facility-based home health care service
  - Closing an existing medical service
  - Closing an existing health care facility
- Closing an existing medical service
- Closing an existing health care facility or conversion to non-health-related use



## Massachusetts

Health Care Facility Licensing/Certification Agency:

[Massachusetts Department of Public Health](#)

Has certificate of need law?

Yes\*

Dates of certificate of need program:

1972 - present

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

- Long-term care facilities
- Convalescent or nursing homes
- Rest homes or charitable homes for the aged
- Clinical laboratories
- Public medical institutions
- Institutions for the developmentally disabled or mentally ill supported by public funds

Capital expenditures regulated under [certificate of need laws](#):

- Constructing a health care facility or substantially changing a facility's service capacity
- Offering a new innovative service or technology
- Acquiring new medical, diagnostic or therapeutic equipment greater than \$250,000
- Acquiring an existing health care facility

\*Massachusetts uses the term Determination of Need (DoN) for its health planning program instead of certificate of need.



## 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](#):

- Hospitals
- Psychiatric hospitals or units
- Nursing homes and hospital long-term care units
- Freestanding surgical outpatient facilities
- HMOs (only for limited projects)

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

- Acquiring an existing health facility or beginning operation at a health facility that is not currently licensed for that type of health facility
- Changing bed capacity
- Initiating, replacing or expanding a covered clinical service
- Covered capital expenditures



## Minnesota

Health Care Facility Licensing/Certification Agency:	<a href="#">Minnesota Department of Health</a>
Has certificate of need law?	No*
Dates of certificate of need program:	1971-1984
Facilities regulated under certificate of need:	N/A
Capital expenditures regulated under certificate of need law:	N/A

\*While Minnesota does not have a certificate of need program, it maintains various approval processes that function similarly to CON. The 2004 state legislature established a [public interest review process](#) for hospitals seeking exceptions to that state's hospital bed moratorium law. Additionally, the state created a [local system needs plans](#) for intermediate care facilities pursuant to [Minn. Stat § 252.282](#). This program allows counties to evaluate and regulate its service system to best support the needs of persons with developmental disabilities.



## **Mississippi**

Health Care Facility Licensing/Certification Agency:

[Mississippi 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
- Psychiatric residential treatment facilities
- Pediatric skilled nursing facilities
- End stage renal disease facilities
  - Freestanding hemodialysis units
- Ambulatory surgical centers
- Home health agencies

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

- Capital expenditures exceeding the expenditure threshold
- Establishing a new health care facility
- Offering new institutional health services
- Offering new clinical health services
- Acquiring major medical equipment





## Missouri

Health Care Facility Licensing/Certification Agency:

[Missouri Department of Health and 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](#):

- Hospitals
- Long-term care hospital
- Residential care facilities
- Assisted living facilities
- Intermediate care facilities
- Skilled nursing facilities

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

- Developing a new health care facility
- Acquiring any health care facility
- Acquiring any major medical equipment
- Capital expenditures greater than the expenditure minimum
- Predevelopment activities greater than \$150,000
- Changing the licensed bed capacity by more than ten beds or 10% of total bed capacity
- Offering new health services
- Reallocating licensed beds among major types of service by more than ten beds or 10% of total bed capacity



## 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](#):

- Nonfederal home health agencies
- Long-term care facilities
- Inpatient chemical dependency facilities

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

- Capital expenditures greater than \$1.5 million
- Changing bed capacity of a health care facility through an increase in the number of beds or a relocation of beds from one health care facility to another



## Nebraska

Health Care Facility Licensing/Certification Agency:

[Department of Health and 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](#):

- Hospitals
- Skilled nursing facilities
- Intermediate care facilities
- Nursing facilities

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

- Establishing long-term care beds or rehabilitation beds
- Increasing the long-term beds of a health facility by more than 10 or more than 10% of total beds in the facility
- Increasing the rehabilitation beds of a health facility by more than 10 or more than 10% of total beds in the facility

- Establishing long-term beds through conversion by a hospital
- Establishing rehabilitation beds through conversion by a hospital

Relocating rehabilitation beds from one health care facility to another



## Nevada

Health Care Facility Licensing/Certification Agency:

[Nevada Division of Public and Behavioral Health / Health Planning and Primary Care](#)

Has certificate of need law?

Yes

Dates of certificate of need program:

1971 - present

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

- Hospitals
- Ambulatory surgical centers
- Skilled nursing facilities
- Health maintenance organizations

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

- Capital expenditures exceeding \$2,000,000 in counties with a population less than 100,000 and cities with a population less than 25,000.
- Capital expenditures for the operation of a new medical helicopter providing services in an area located within 150 miles from an existing facility with helicopter services.



## New Hampshire

Health Care Facility Licensing/Certification Agency:	<a href="#">New Hampshire Department of Health and Human Services / Health Facilities Administration</a>
Has certificate of need law?	No*
Dates of certificate of need program:	1979-2016
Facilities regulated under certificate of need law:	N/A
Capital expenditures regulated under certificate of need law:	N/A

\*New Hampshire repealed its certificate of need program in 2016 pursuant to [SB 481](#) and switched to a specialized licensure process for certain health facility projects, including establishing cardiac catheterization, open heart surgery and megavoltage radiation therapy services.



## New Jersey

Health Care Facility Licensing/Certification Agency:

[New Jersey Department of Health / Health Facilities](#)

Has certificate of need law?

Yes

Dates of certificate of need program:

1971 - present

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

- General hospitals
- Special hospitals
- Mental hospitals
- Public health centers
- Diagnostic centers
- Treatment centers
- Rehabilitation centers
- Extended care facilities
- Skilled nursing homes
- Intermediate care facilities
- Assisted living residences
- Comprehensive personal care facilities
- Tuberculosis hospitals
- Chronic disease hospitals
- Maternity hospitals
- Outpatient clinics
- Dispensaries
- Home health care agencies
- Residential health care facilities
- Bioanalytical laboratories
- Central services facilities

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

- Initiating new health care services
- Terminating or discontinuing services or facilities
- Reducing licensed bed capacity
- Transferring a health care service or facility
- Changing licensed bed or service capacity
- Establishing a new health care facility
- Adding cardiac catheterization equipment



**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

Facilities regulated under certificate of need law:

N/A

Capital expenditures 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 programs associated with the Office of Mental Health, Office of Mental Retardation and Developmental Disabilities and the Office of Alcoholism and Substance Abuse Services

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

- Establishing or constructing new facilities, agencies, programs or hospices
- Renovating existing facilities, agencies, programs or hospices
- Acquiring major medical equipment
- Adding or deleting health care services
- Changing ownership of facilities, agencies, programs or hospices
- Modifying service areas for agencies or hospices





## North Carolina

Health Care Facility Licensing/Certification Agency:

[North Carolina Department of Health and Human Services / 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](#):

- Hospitals
- Psychiatric facilities
- Chemical dependency treatment facilities
- Nursing home facilities
- Adult care homes
- Kidney disease treatment centers
- Intermediate care facilities for the mentally retarded
- Rehabilitation facilities
- Home health agencies
- Hospices
- Diagnostic centers
- Ambulatory surgical facilities

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

- Offering new institutional health services
- Adding beds, operating rooms, gastrointestinal endoscopy rooms or dialysis stations
- Initiating new cardiac catheterization services, open-heart surgery services, burn intensive care service, neonatal intensive care services or solid organ or bone marrow transplantation services
- Acquiring major medical equipment



**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

Facilities regulated under certificate of need law:

N/A

Capital expenditures 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

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

- Establishing, developing or constructing a new long-term care facility
- Replacing an existing long-term care facility
- Renovating or adding to a long-term care facility
- Increasing long-term care bed capacity
- Relocating long-term care beds from one site to another
- Other failure to conduct a reviewable activity in substantial accordance with the approved application for which a Certificate of Need was granted, if the change is made within five years after implementation, including a site or capacity change
- Expenditures more than 110 percent of the maximum expenditure specified in an approved Certificate of Need application



## 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 in general acute hospitals

Capital expenditures regulated under certificate of need law:

- [Long-term care facilities](#)
  - Establishing a new facility
  - Increasing the number of beds at an existing facility
  - Acquiring ownership or operation of a facility
  - Capital expenditures greater than \$1,000,000 or more.
- [Psychiatric and chemical dependency](#) treatment facilities
  - Transferring ownership or operation of a facility



## 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
- Skilled nursing facilities
- Intermediate care facilities

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

- Developing a new hospital
- Developing a new long-term care facility or service



**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

Facilities regulated under certificate of need law:

N/A

Capital expenditures 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](#):

- Hospitals
- Nursing homes
- Outpatient hospice care facilities
- Outpatient kidney treatment centers
- Outpatient kidney dialysis facilities
- Outpatient birth centers
- Freestanding emergency care facilities
- Organized ambulatory care facilities
- Home health care providers

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

- Initial licensure for:
  - Freestanding emergency care facilities,
  - Outpatient kidney treatment centers
  - Organized ambulatory care facilities
  - Outpatient birth centers
- Capital expenditures for medical equipment and services
  - Changing ownership, control or lease for:
    - Hospitals
    - Nursing homes
    - Organized ambulatory care facilities
    - Outpatient kidney dialysis facilities
    - Outpatient hospice care facilities
    - Freestanding emergency care facilities
    - Home health care providers



## 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
- Other facilities requiring CON review by state law

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

- Constructing or establishing a new health care facility
- Changing existing bed capacity
- Capital expenditures greater than \$2,000,000
- Offering new health care services
- Acquiring diagnostic medical equipment greater than \$600,000





**South Dakota**

Health Care Facility Licensing/Certification Agency:

[South Dakota Department of Health / Office of Health Facilities  
Licensure and Certification](#)

Has certificate of need law?

No

Dates of certificate of need program:

1972-1988

Facilities regulated under certificate of need law:

N/A

Capital expenditures regulated under certificate of need law:

N/A



## Tennessee

Health Care Facility Licensing/Certification Agency:

[Tennessee Department of Health / Division of Health Planning](#)

Has certificate of need law?

Yes

Dates of certificate of need program:

1973 - present

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

- Nursing homes
- Recuperations centers
- Hospitals
- Ambulatory surgical treatment centers
- Mental health hospitals
- Intellectual disability institutional habilitation facilities
- Home care organizations
- Outpatient diagnostic centers
- Rehabilitation facilities
- Residential hospices
- Nonresidential substitution-based treatment center for opiate addiction

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

- Initiating the following services:
  - Burn unit
  - Neonatal intensive care unit
  - Open heart surgery
  - Organ transplantation
  - Cardiac catheterization
  - Linear accelerator
  - Positron emission tomography
  - Home health
  - Hospice
  - Psychiatric
  - Opiate addiction treatment provided through a non-residential substitution-based treatment center for opiate addiction.
- Initiating a magnetic resonance imaging (MRI) machine in:
  - Counties with a population greater than \$250,000 for pediatric services
  - Counties with a population less than \$250,000 for any services
- Increasing the number of MRI machines
- Establishing a hospital satellite emergency department facility
- Changing bed capacity



**Texas**

Health Care Facility Licensing/Certification Agency:

[Texas Health and Human Services](#)

Has certificate of need law?

No

Dates of certificate of need program:

1975-1985

Facilities regulated under certificate of need law:

N/A

Capital expenditures regulated under certificate of need law:

N/A



**Utah**

Health Care Facility Licensing/Certification Agency:

[Utah Department of Health / Bureau of Health Facility Licensing, Certification and Resident Assessment](#)

Has certificate of need law?

No

Dates of certificate of need program:

1979-1984

Facilities regulated under certificate of need law:

N/A

Capital expenditures 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
  - General hospitals
  - Mental hospitals
  - Chronic disease facilities
  - Birthing centers
  - Maternity hospitals
  - Psychiatric facilities
- 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 catheterizations laboratories
- Radiation therapy facilities
- Inpatient or ambulatory surgical, diagnostic or treatment centers

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

- Constructing, developing, purchasing, renovating or establishing a health care facility or other capital expenditure exceeding \$1,500,000
- Changing bed capacity
- Offering any home health services

- Purchasing, leasing or other comparable arrangement of a single piece of diagnostic and therapeutic equipment greater than \$1,000,000
- Offering a health care service or technology with an annual operating expense greater than \$500,000
- Constructing, developing, purchasing, leasing or establishing an ambulatory surgical center



## Virginia

Health Care Facility Licensing/Certification Agency:

[Virginia Department of Health / Office of Licensure and Certification,  
Division of Certificate of Public Need](#)

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 with exceptions
- Extended care facilities
- Mental hospitals
- Facilities for individuals with developmental disabilities
- Psychiatric hospitals and intermediate care facilities for individuals with substance abuse
- Specialized centers, clinics or physicians' office developed for the provision of:
  - Ambulatory surgery
  - Cardiac catheterizations
  - 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
  - Other specialty services
- Rehabilitation hospitals
- Hospitals

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

- Medical care facility projects
- Registering the replacement of existing medical equipment
- Registering certain capital expenditures between \$5,698,607 and \$17,095,823
- Acquiring a medical care facility greater than \$600,000



## 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
- Nursing homes
- Kidney dialysis centers
- Medicare of Medicaid home health agencies
- Medicare of Medicaid hospice agencies
- Ambulatory surgical centers
- Hospice care centers
- Kidney dialysis centers

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

- Constructing, developing or establishing certain health facilities
- Increasing the number of stations at a kidney dialysis center
- Selling, purchasing or leasing all or part of an existing hospital
- Increasing the number licensed beds at a hospital, nursing home or hospice care center
- Offering new tertiary health services including:
  - Level 1 rehabilitation programs
  - Open heart surgery
  - Therapeutic cardiac catheterizations
  - 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 home capital expenditures greater than \$2,663,342
- Nursing home bed banking transactions
- Nursing home replacements



## 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](#):

- Public or private facility, agency or entity that offer or provides health services, whether a for-profit or non-profit entity and whether licensed, or required to be licensed, in whole or in part.

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

- Acquiring, offering or developing a new health care service
- Charging or billing for a health care service
- Transferring equipment or facilities for less than fair market value
- Other capital expenditures





**Wisconsin**

Health Care Facility Licensing/Certification Agency:	<a href="#">Wisconsin Department of Health Services</a>
Has certificate of need law?	No*
Dates of certificate of need program:	Repealed 2000
Facilities regulated under certificate of need law:	N/A
Capital expenditures regulated under certificate of need law:	N/A

\*Wisconsin does not have an official certificate of need program. The state, however, maintains certain approval processes for long-term care; moratoriums for hospital, psychiatric/chemical dependency, and nursing home beds; and a certificate of public advantage program pursuant to [Wis. Stat. § 150](#).



**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

Facilities regulated under certificate of need law:

N/A



## District of Colombia

Health Care Facility Licensing/Certification Agency:

[District of Columbia Health](#)

Has certificate of need law?

Yes

Dates of certificate of need program:

1977 - present

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

- General hospitals
- Psychiatric hospitals
- Specialty hospitals
- Rehabilitation facilities
- Skilled nursing facilities
- Intermediate care facilities
- Ambulatory care centers or clinics
- Ambulatory surgical facilities
- Kidney disease treatment centers
- Freestanding hemodialysis facilities
- Diagnostic health care facilities
- Home health agencies
- Hospices
- Other comparable health care facilities with an annual operating budget greater than \$500,000

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

- Constructing, developing or establishing a new health care facility, health care service or home health agency
- Capital expenditures greater than \$2.5 million for health care services or facilities
- Capital expenditures greater than \$1.5 million for major medical equipment
- Leasing, purchasing, donating or other comparable arrangement of a single piece of diagnostic or therapeutic equipment by or on behalf of a physician or group of physician group
- Relocating beds from one facility to another
- Redistributing beds by a health care facility by 10 beds or 10 percent
- Offering new health care services
- Increasing renal dialysis stations
- Acquiring an existing health care facility or major medical equipment by purchase, lease or other arrangement



**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

**U.S. Virgin Islands**

Health Care Facility Licensing/Certification Agency:

[United States Virgin Islands Department of Health](#)

Has certificate of need law?

Yes

