

House Bill 1061

By: Representatives Butler of the 18th, Walker of the 107th, Roberts of the 154th, Sheldon of the 105th, and Rice of the 51st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to
2 exemptions from the certificate of need program, so as to enact the "Trauma Care Expansion
3 Act of 2010"; to exempt hospitals which have been designated as a Level I or II trauma
4 center by the Department of Community Health from certificate of need requirements under
5 certain conditions; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Trauma Care Expansion Act of 2010."

10 **SECTION 2.**

11 Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to exemptions
12 from the certificate of need program, is amended by revising subsection (a) by striking the
13 "and" at the end of paragraph (25), by striking the period at the end of paragraph (26) and
14 replacing it with "; and", and by adding a new paragraph to read as follows:

15 "(27) Hospitals which have been designated as a Level I or II trauma center by the
16 Department of Community Health; provided, however, that as a condition of the
17 exemption provided pursuant to this paragraph, a hospital shall:

18 (A) Maintain such trauma center designation for a minimum of ten years;

19 (B) For every new clinical health service added after the effective date of the
20 exemption under this paragraph, maintain such trauma center designation for an
21 additional two and one-half years; and

22 (C) Submit annual reports in accordance with Code Section 31-6-70.

23 The exemption of a hospital under this paragraph shall apply only to the campus of the
24 hospital which is designated as a Level I or II trauma center and its services. In the event
25 a hospital which is exempt under this paragraph ceases to comply with the conditions

26 specified in this paragraph, such hospital shall lose its exemption and shall be required
27 to obtain a certificate of need for its facility and clinical services in accordance with this
28 chapter. A hospital which is exempt under this paragraph shall not have the right to
29 oppose any other health care facility or establishment or expansion of clinical health
30 services."

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.