

Senate Bill 338

By: Senators Lucas of the 26th, Harbison of the 15th, Sims of the 12th, Hill of the 4th, Mullis of the 53rd and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to  
2 provide that stabilization centers in rural counties are exempt from certificate of need  
3 requirements; to provide for licensure by the Department of Community Health of  
4 stabilization centers; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in  
9 subsection (a) of Code Section 31-6-47, relating to exemptions from certificate of need  
10 requirements, by striking "and" at the end of paragraph (25), by replacing the period at the  
11 end of paragraph (26) with "; and", and by adding a new paragraph to read as follows:

12 "(27) Stabilization centers in rural counties which provide for observation and  
13 stabilization for immediate transfer of patients requiring care to an acute care hospital."

14 **SECTION 2.**

15 Said title is further amended by revising paragraph (4) of Code Section 31-7-1, relating to  
16 definitions relative to the regulation of hospitals and related institutions, as follows:

17 "(4) 'Institution' means:

18 (A) Any building, facility, or place in which are provided two or more beds and other  
19 facilities and services that are used for persons received for examination, diagnosis,  
20 treatment, surgery, maternity care, nursing care, assisted living care, or personal care  
21 for periods continuing for 24 hours or longer and which is classified by the department,  
22 as provided for in this chapter, as either a hospital, nursing home, assisted living  
23 community, or personal care home;

24 (B) Any health facility wherein abortion procedures under subsections (b) and (c) of  
25 Code Section 16-12-141 are performed or are to be performed;

26 (C) Any building or facility, not under the operation or control of a hospital, which is  
 27 primarily devoted to the provision of surgical treatment to patients not requiring  
 28 hospitalization and which is classified by the department as an ambulatory surgical  
 29 treatment center;

30 (D) Any fixed or mobile specimen collection center or health testing facility where  
 31 specimens are taken from the human body for delivery to and examination in a licensed  
 32 clinical laboratory or where certain measurements such as height and weight  
 33 determination, limited audio and visual tests, and electrocardiograms are made,  
 34 excluding public health services operated by the state, its counties, or municipalities;

35 (E) Any building or facility where human births occur on a regular and ongoing basis  
 36 and which is classified by the department as a birthing center;

37 (F) Any building or facility which is devoted to the provision of treatment and  
 38 rehabilitative care for periods continuing for 24 hours or longer for persons who have  
 39 traumatic brain injury, as defined in Code Section 37-3-1; ~~or~~

40 (G) Any freestanding imaging center where magnetic resonance imaging, computed  
 41 tomography (CT) scanning, positron emission tomography (PET) scanning, positron  
 42 emission tomography/computed tomography, and other advanced imaging services as  
 43 defined by the department by rule, but not including X-rays, fluoroscopy, or ultrasound  
 44 services, are conducted in a location or setting not affiliated or attached to a hospital or  
 45 in the offices of an individual private physician or single group practice of physicians  
 46 and conducted exclusively for patients of that physician or group practice; or

47 (H) Any stabilization center in a rural county, as defined in Code Section 31-6-2.

48 The term 'institution' shall exclude all physicians' and dentists' private offices and  
 49 treatment rooms in which such physicians or dentists primarily see, consult with, and  
 50 treat patients."

51 **SECTION 3.**

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