



GEORGIA DEPARTMENT OF  
COMMUNITY HEALTH

*New Applications*  
*Pending Review/Incomplete Applications*  
*Pending Review/Complete Applications*  
*Pending Review/Complete/Joined Applications*  
*Recently Approved Applications*  
*Recently Denied Applications*  
*Applications Withdrawn by Applicant*  
*Appealed CON Projects*  
*Appealed Determinations*  
*Requests for LNR for Establishment of Physician-Owned Ambulatory Surgery Facilities*  
*Requests for LNR for MRI Units*  
*Requests for Miscellaneous Letters of Determination*  
*Requests for Extended Implementation/Performance Period*  
*Health Planning Review Board Members*  
*What's New In Certificate of Need?*

## OFFICE OF GENERAL COUNSEL

### CERTIFICATE OF NEED

# Tracking And Appeals Report

Week of December 20, 2004

Georgia Department of Community Health  
Office of General Counsel  
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## New Applications

### 2004-111 Summerville Surgical Center, LLC

Establish a Freestanding Limited-Purpose Ambulatory Surgical Cntr

**Filed: 12/13/2004**

**Site:** 1433 Stovall Street, Augusta, GA 30904 (Richmond County)

**Contact:** Gayle Evans 770 794-4944

**Estimated Cost:** \$454,440

### 2004-113 Macon Cardio-Vascular Institute, LLC

Acquisition of a CT Scanner

**Filed: 12/17/2004**

**Site:** 575 First Street, Macon, GA 31201 (Bibb County)

**Contact:** Joe H. Johnson 478 743-9762

**Estimated Cost:** \$1,490,975

### 2004-114 Canterbury Court

Expansion and Renovation of a Continuing Care Retirement Community

**Filed: 12/17/2004**

**Site:** 3750 Peachtree Road., NE, Atlanta, GA 30319 (Fulton County)

**Contact:** Andrea Price 404 261-6611

**Estimated Cost:** \$27,765,000

### 2004-115 Floyd Medical Center

Fourth Floor-South Wing Renovation

**Filed: 12/21/2004**

**Site:** 304 Turner McCall Blvd. P.O. Box 233, Rome, GA 30162 (Floyd County)

**Contact:** Dan Sweitzer 706-509-3259

**Estimated Cost:** \$4,679,000

## Pending Review/Incomplete Applications

### 2004-090 Medical Center of Central Georgia

Expansion of Existing Facility

**Filed: 9/30/2004 Deemed Incomplete: 10/14/2004**

**Site:** 77 Hemlock Street, Macon, GA 31201 (Bibb County)

**Contact:** Marvin Noles 478-633-6960

**Estimated Cost:** \$80,000,000

### 2004-101 Glynn-Brunswick Memorial Hospital Authority d/b/a Southeast Georgia

Cost Overrun (Project No. Ga. 025-03)

**Filed: 11/8/2004 Deemed Incomplete: 11/22/2004**

**Site:** 2415 Parkwood Drive, Brunswick, GA 31520 (Glynn County)

**Contact:** Marjorie Mathieu 912-466-7000

**Estimated Cost:** \$6,128,841

### 2004-109 MCG Health, Inc

Separation and Relocation of Electrophysiology (EP) Laboratory

**Filed: 12/3/2004 Deemed Incomplete: 12/16/2004**

**Site:** 1120 15th Street, Augusta, GA 30912 (Richmond County)

**Contact:** Sheila O'Neal 706-721-5709

**Estimated Cost:** \$4,371,640

### 2004-110 Saint Joseph's Hospital of Atlanta

Expansion of an Existing Parking Deck

**Filed: 12/8/2004 Deemed Incomplete: 12/21/2004**

**Site:** 5665 Peachtree Dunwoody Road, N.E., Atlanta, GA 30342 (Fulton County)

**Contact:** Douglas J. Holbrook 404 851-5933

**Estimated Cost:** \$3,760,000

### 2004-112 St. Joseph Hospital

The Expansion and Renovation of the Emergency Department

**Filed: 12/14/2004 Deemed Incomplete: 12/16/2004**

**Site:** 2260 Wrightsboro Road, Augusta, GA 30904 (Richmond County)

**Contact:** Raymond Owings 706 481-7000

**Estimated Cost:** \$2,156,988

# Pending Review/Complete Applications

## **2004-060 Northside Hospital - Cherokee**

Establishment of Adult Cardiac Catheterization Services

**Filed: 7/8/2004 Deemed Incomplete: 7/21/2004 Deemed Complete: 9/3/2004**

**Decision Deadline: 12/1/2004 Extended Deadline: 12/31/2004**

**Site:** 201 Hospital Road, Canton, GA 30114 (Cherokee County)

**Contact:** Brian J Toporek 404-851-6821 **Estimated Cost:** \$2,891,000

## **2004-064 The Magnolias**

Increase Bed Capacity

**Filed: 7/26/2004 Deemed Incomplete: 8/6/2004 Deemed Complete: 10/1/2004**

**Decision Deadline: 12/29/2004**

**Site:** 965 South Main Street, Conyers, GA (Rockdale County)

**Contact:** John Shelley 770-943-2468 **Estimated Cost:** \$5,000

## **2004-070 Hamilton Medical Center**

Expansion of Existing Perinatal Service

**Filed: 8/5/2004 Deemed Incomplete: 8/18/2004 Deemed Complete: 9/17/2004**

**Decision Deadline: 12/15/2004 Extended Deadline: 1/14/2005**

**Site:** 1200 Memorial Drive, Dalton, GA 30722 (Whitfield County)

**Contact:** Keith Jennings 706-606-6000 **Estimated Cost:** \$7,000,753

## **2004-073 North Georgia Foot & Ankle Center**

Establishment of Ltd Purpose Podiatric Ambulatory Surgery Center

**Filed: 8/16/2004 Deemed Incomplete: 8/27/2004 Deemed Complete: 9/16/2004**

**Decision Deadline: 12/14/2004 Extended Deadline: 1/13/2005**

**Site:** 146 Smitherman Road, Ringgold, GA 30736 (Catoosa County)

**Contact:** Portia Walker 404-257-0611 **Estimated Cost:** \$1,242,615

## **2004-082 Medical Center of Central Georgia**

Relocation and Expansion of Breast Center

**Filed: 9/2/2004 Deemed Complete: 9/16/2004**

**Decision Deadline: 12/14/2004 Extended Deadline: 1/13/2005**

**Site:** 777 Hemlock Street, Macon, GA 31201 (Bibb County)

**Contact:** Marvin Noles 478-633-6960 **Estimated Cost:** \$4,260,328

## **2004-086 Surgical Centers of Georgia**

Addition of Third OR and Pain Management to Existing ASC

**Filed: 9/10/2004 Deemed Incomplete: 9/23/2004 Deemed Complete: 9/28/2004**

**Decision Deadline: 12/26/2004 Extended Deadline: 1/25/2005**

**Site:** 3556 Riverside Drive, Macon, GA 31210 (Bibb County)

**Contact:** George R. Vito 478-475-9250 **Estimated Cost:** \$967,000

## **2004-089 Fannin Regional Hospital**

4 Bed Expansion

**Filed: 9/21/2004 Deemed Incomplete: 10/4/2004 Deemed Complete: 10/29/2004**

**Decision Deadline: 1/26/2005**

**Site:** 2855 Old Highway 5, North, Blue Ridge, GA 30513 (Fannin County)

**Contact:** Barry Mousa 706-632-3711 **Estimated Cost:** \$300,000

## **2004-093 Saint Joseph's Hospital Inc.**

Addition of a Cardiac Catheterization Lab

**Filed: 10/8/2004 Deemed Incomplete: 10/22/2004 Deemed Complete: 11/8/2004**

**Decision Deadline: 2/5/2005**

**Site:** 11705 Mercy Blvd, Savannah, GA 31419 (Chatham County)

**Contact:** Michele Madison 912-819-5293 **Estimated Cost:** \$1,449,062

**2004-094 Wellstar Kennestone Hospital**

Acquire Equipment and Develop a Oncology Imaging Center

**Filed: 10/22/2004 Deemed Complete: 11/4/2004**

**Decision Deadline: 2/1/2005**

**Site:** 677 Church Street, Marietta, GA 30060 (Cobb County)

**Contact:** Caroline Aultman 770-792-1542

**Estimated Cost:** \$6,477,362

**2004-095 Memorial Health University Medical Center, Inc.**

Construction and Relocation of 2 Existing Operating Rooms

**Filed: 11/1/2004 Deemed Incomplete: 11/15/2004 Deemed Complete: 12/3/2004**

**Decision Deadline: 3/2/2005**

**Site:** 4700 Waters Ave, Savannah, GA 31404 (Chatham County)

**Contact:** Joseph R. Ross 912-350-5159

**Estimated Cost:** \$9,541,331

**2004-097 GoldenCrest at Eagle's Landing**

To Establish a Personal Care Home

**Filed: 11/1/2004 Deemed Incomplete: 11/15/2004 Deemed Complete: 12/15/2004**

**Decision Deadline: 3/14/2005**

**Site:** 425 Country Club Drive, Stockbridge, GA 30281 (Henry County)

**Contact:** Terry Carter 770-961-2200

**Estimated Cost:** \$1,010,000

**2004-098 Emory Crawford Long Hospital**

Renovate and Expansion of Emory Crawford Long

**Filed: 11/5/2004 Deemed Complete: 11/19/2004**

**Decision Deadline: 2/16/2005**

**Site:** 550 Peachtree Street, NE, Atlanta, GA 30308 (Fulton County)

**Contact:** Toni Wimby 404-686-1000

**Estimated Cost:** \$3,996,781

**2004-100 WellStar Windy Hill Hospital**

Second Floor Renovation

**Filed: 11/5/2004 Deemed Complete: 11/19/2004**

**Decision Deadline: 2/16/2005**

**Site:** 2540 Windy Hill Road, Marietta, GA 30067 (Cobb County)

**Contact:** Caroline Aultman 770-792-1542

**Estimated Cost:** \$4,900,296

**2004-102 Habersham County Medical Center**

Replacement of Mobile MRI with Permanent MRI

**Filed: 11/8/2004 Deemed Complete: 11/22/2004**

**Decision Deadline: 2/19/2005**

**Site:** 541 Historic Highway 441, N. P.O. Box 37, Demorest, GA 30535 (Habersham County)

**Contact:** James Peterson 706-754-3113

**Estimated Cost:** \$2,228,150

**2004-103 Memorial Health University Medical Center, Inc.**

Addition of Third Cardiac Catheterization Laboratory

**Filed: 11/12/2004 Deemed Incomplete: 11/29/2004 Deemed Complete: 12/14/2004**

**Decision Deadline: 3/13/2005**

**Site:** 4700 Waters Ave, Savannah, GA 31404 (Chatham County)

**Contact:** Joseph Ross 912-350-6500

**Estimated Cost:** \$1,497,029

**2004-104 Northside Hospital, Inc**

To Construct Two Enclosed Pedestrian Connectors

**Filed: 11/12/2004 Deemed Complete: 11/29/2004**

**Decision Deadline: 1/12/2005**

**Site:** 1000 Johnson Ferry Road, Atlanta, GA 30342 (Fulton County)

**Contact:** Brian Toporek 404-851-6821

**Estimated Cost:** \$5,300,000

**2004-105 Jefferson Hospital**

To Build a Medical Office Building

**Filed: 11/19/2004 Deemed Incomplete: 12/3/2004 Deemed Complete: 12/15/2004**

**Decision Deadline: 1/28/2005**

**Site:** 1067 Peachtree Street, Louisville, GA 30434 (Jefferson County)  
**Contact:** Rita Culvern 478-625-7000 x200 **Estimated Cost:** \$1,644,800

**2004-106 Gordon Hospital**

Establish Adult Diagnostic Cardiac Catherization Service  
**Filed:** 11/22/2004 **Deemed Incomplete:** 12/7/2004 **Deemed Complete:** 12/20/2004  
**Decision Deadline:** 3/19/2005

**Site:** 1035 Red Bud Road, Calhoun, GA 30701 (Gordon County)  
**Contact:** Carlene Jamerson 706-602-7800 **Estimated Cost:** \$1,275,020

**2004-107 Athens Regional Medical Center**

Acquisition and Expansion of the Radiation Therapy Services  
**Filed:** 11/23/2004 **Deemed Complete:** 12/7/2004  
**Decision Deadline:** 3/6/2005

**Site:** 1199 Prince Avenue, Athens, GA 30606 (Clarke County)  
**Contact:** Bernard Wheatley 706-475-3458 **Estimated Cost:** \$2,366,689

**2004-108 The Medical Center**

Acquisition of a Fixed-Base MRI  
**Filed:** 11/24/2004 **Deemed Complete:** 12/9/2004  
**Decision Deadline:** 3/8/2005

**Site:** 710 Center Street, Columbus, GA 31901 (Muscogee County)  
**Contact:** T. Craig Davis 706-660-6205 **Estimated Cost:** \$2,053,000

## Pending Review/Complete/Joined Applications

**2004-091 Southern Regional Medical Center**

Acquisition of a Fixed PET/CT Scanner (joined GA 096-04 & GA 099-04)  
**Filed:** 10/1/2004 **Deemed Complete:** 10/15/2004  
**Joined:** 11/12/2004 **Decision Deadline:** 2/9/2005

**Site:** 11 Upper Riverdale Road, S.W., Riverdale, GA 30274 (Clayton County)  
**Contact:** Paul Casbergue 770-991-8000 **Estimated Cost:** \$4,047,181

**2004-096 Gwinnett Medical Center and Joan Glancy Memorial Hospital**

Acquisition of Mobile PET/CT Unit (Joined GA 091-04 & GA 099-04)  
**Filed:** 11/1/2004 **Deemed Complete:** 11/12/2004  
**Joined:** 11/12/2004 **Decision Deadline:** 2/9/2005

**Site:** 1000 Medical Center Boulevard, Lawrenceville, GA 30045 (Gwinnett County)  
**Contact:** Mark Mullin 678-442-4193 **Estimated Cost:** \$2,554,799

**2004-099 Emory Crawford Long Hospital**

To Purchase a PET/CT Scanner (Joined GA 091-04 & GA 096-04)  
**Filed:** 11/5/2004 **Deemed Complete:** 11/12/2004  
**Joined:** 11/12/2004 **Decision Deadline:** 2/9/2005

**Site:** 550 Peachtree Street, NE, Atlanta, GA 30308 (Fulton County)  
**Contact:** Toni Wimby 404-686-1000 **Estimated Cost:** \$2,977,782

## Recently Approved Applications

**2004-072 Medical Center of Central Georgia**

Relocation and Consolidation of Endoscopy Services  
**Filed:** 8/13/2004 **Deemed Complete:** 8/26/2004  
**Decision Deadline:** 11/23/2004 **Extended Deadline:** 12/23/2004  
**APPROVED:** 12/16/2004

**Site:** 777 Hemlock Street, Macon, GA 31201 (Bibb County)  
**Contact:** Marvin Noles 478-633-6960 **Estimated Cost:** \$3,149,789

**2004-074 The Hughston Clinic, P.C.**

Acquisition of Fixed-Based MRI Unit

**Filed: 8/18/2004 Deemed Incomplete: 8/31/2004 Deemed Complete: 9/30/2004**

**Decision Deadline: 12/28/2004**

**APPROVED: 12/16/2004**

**Site:** 6262 Veterans Parkway, Columbus, GA 31908 (Muscogee County)

**Contact:** Mark Baker 706-494-3290 **Estimated Cost:** \$1,272,957

**2004-076 Upson Regional Medical Center**

Expansion of Existing Facility

**Filed: 8/23/2004 Deemed Complete: 9/3/2004**

**Decision Deadline: 12/1/2004**

**APPROVED: 12/1/2004**

**Site:** 801 West Gordon Street, Thomaston, GA 30286 (Upson County)

**Contact:** Thomas D. Plantz 706-647-8111 **Estimated Cost:** \$16,581,000

**2004-077 Camden Medical Center**

Expansion and Renovation of Acute Care Facility

**Filed: 8/23/2004 Deemed Incomplete: 9/3/2004 Deemed Complete: 9/3/2004**

**Decision Deadline: 12/1/2004**

**APPROVED: 12/1/2004**

**Site:** 2000 Dan Proctor Drive, St. Marys, GA 31558 (Camden County)

**Contact:** Howard Sepp 912-576-6401 **Estimated Cost:** \$29,415,517

**2004-078 The Emory Clinic**

Transfer of PET Scanner

**Filed: 8/23/2004 Deemed Complete: 9/3/2004**

**Decision Deadline: 12/1/2004**

**APPROVED: 12/1/2004**

**Site:** 1365 Clifton Road, NE, Atlanta, GA 30322 (DeKalb County)

**Contact:** Mike Mason 404-778-5639 **Estimated Cost:** \$379,287

**2004-079 Emory University Hospital**

Build Interventional Operating Room

**Filed: 8/23/2004 Deemed Incomplete: 9/3/2004 Deemed Complete: 9/14/2004**

**Decision Deadline: 12/12/2004**

**APPROVED: 12/10/2004**

**Site:** 1364 Clifton Road, NE, Atlanta, GA 30322 (DeKalb County)

**Contact:** Toni Wimby 404-686-2450 **Estimated Cost:** \$2,939,347

**2004-081 Battlefield Imaging Center**

Acquisition of MRI Unit

**Filed: 9/2/2004 Deemed Incomplete: 9/16/2004 Deemed Complete: 9/30/2004**

**Decision Deadline: 12/28/2004**

**APPROVED: 12/2/2004**

**Site:** 4700 Battlefield Parkway, Suite 100, Ringgold, GA 30736 (Catoosa County)

**Contact:** Sandy McKenzie 706-858-2205 **Estimated Cost:** \$1,926,885

**2004-083 Kindred Hospital Atlanta**

Purchase of Building and Land

**Filed: 9/3/2004 Deemed Incomplete: 9/16/2004 Deemed Complete: 10/27/2004**

**Decision Deadline: 12/10/2004**

**APPROVED: 12/9/2004**

**Site:** 705 Juniper Street, Atlanta, GA 30308 (Fulton County)

**Contact:** Barbara Lankford 502-596-7801 **Estimated Cost:** \$15,000,000

**2004-085 DeKalb Medical Center, Inc.**

Purchase of MRI Scanner

**Filed: 9/8/2004 Deemed Complete: 9/21/2004**

**Decision Deadline: 12/19/2004**

**APPROVED: 12/14/2004**

**Site:** 2701 North Decatur Road, Decatur, GA 30033 (DeKalb County)  
**Contact:** Don Fears 404-501-5790 **Estimated Cost:** \$2,811,031

**2004-087 SouthCoast Imaging Center**

Acquisition of MRI System

**Filed:** 9/17/2004 **Deemed Complete:** 9/30/2004

**Decision Deadline:** 12/28/2004

**APPROVED:** 12/10/2004

**Site:** 1326 B Eisenhower Drive, Savannah, GA 31406 (Chatham County)

**Contact:** Patricia Shapiro 912-691-4210 **Estimated Cost:** \$1,821,199

**2004-088 Henry Medical Center, Inc.**

Expansion of Neonatal Intermediate Care Services

**Filed:** 9/20/2004 **Deemed Complete:** 9/28/2004

**Decision Deadline:** 12/26/2004

**APPROVED:** 12/15/2004

**Site:** 1133 Eagle's Landing Parkway, Stockbridge, GA 30281 (Henry County)

**Contact:** Michael P. Britain 404-847-0100 **Estimated Cost:** \$1,239,500

## Recently Denied Applications

none

## Applications Withdrawn by Applicant

**2004-063 Summerville Surgical Center, LLC**

Establishment of Freestanding Ambulatory Surgery Center

**Filed:** 7/23/2004 **Deemed Complete:** 8/5/2004

**Decision Deadline:** 11/2/2004 **Extended Deadline:** 12/2/2004

**WITHDRAWN:** 11/29/2004

**Site:** 1433 Stovall Street, Augusta, GA 30904 (Richmond County)

**Contact:** Gayle Evans 706-794-4944 **Estimated Cost:** \$176,976

**2004-075 Northlake Cancer Treatment Center, Inc.**

Relocation of Existing Facility

**Filed:** 8/20/2004 **Deemed Complete:** 8/27/2004

**Decision Deadline:** 11/24/2004 **Extended Deadline:** 12/24/2004

**WITHDRAWN:** 12/20/2004

**Site:** 5900 Hillandale Road, Lithonia, GA 30058 (DeKalb County)

**Contact:** Dale McCord 770-350-0126 **Estimated Cost:** \$2,984,945

## Appealed CON Projects

**2002-029 Sunbelt Home Care (Gordon)**

**2002-030 Healthfield Home Health, Inc.**

**2002-032 Amedysis Home Health of Ft. Oglethorpe**

Home Health Services Expansion in HPA 1 (HHA)

**Agency Decision:** Approved 2002-029 and 2002-032, 8/30/02. Denied 2002-030, 8/30/02.

**Appealed By:** Appealed by 2002-030, 9/18/02.

**Hearing Officer:** Ellwood F. Oakley, III

**Hearing Date:** Hearing held on 1/14/03 and 01/15/03;

**Hearing Decision:** Hearing Officer decision pending, 2/10/03; Hearing Officer Decision affirmed Department decision, 3/29/03. Healthfield filed objections to hearing officer's decision and requested Review Board hearing 04-29-03. Review Board hearing to be held on 7-14-03.

**Review Board Decision:** Review Board affirmed award of CON to Amedysis Home Health of Ft. Oglethorpe on 08/12/03.

**Appealed to Superior Court:** Healthfield Home Health, Inc. filed Petition for Judicial Review in Superior Court of Fulton County on 9/11/03. Oral argument held on 8/4/2004.

**2003-007 Cancer Treatment Center at Henry County (Henry)**

Construction of Oncology Treatment Center

**Agency Decision:** Approved 6/16/03

**Appealed By:** Institute for Radiation Therapy, Inc.(IRT), Griffin Regional Radiation Therapy Center (Griffin) and Radiotherapy Clinics of Georgia (RCG) requested administrative hearing in opposition to Cancer Treatment Center at Henry County (CTC) on June 27, 2003.

**Hearing Officer:** Jordan E. Lubin

**Hearing Date:** Hearing scheduled 3-2-04 thru 3-4-04;

**Hearing Decision:** Hearing Officer issued Decision on 5/24/2004 and ordered the decision awarding a CON to CTC be reversed. On 6/9/2004, Hearing Officer issued Order on Motion for Reconsideration modifying his Final Decision issued on 5/24/2004 to add a footnote. Decision remains unchanged in all other respects; On 6/23/2004, CTC and the Department each filed objections to Hearing Officer's final decision. Notice of extension for Review Board meeting issued on 7/2/2004.

**Review Board Decision:** Review Board meeting held 8/27/2004 at 10:00. Review Board issued decision on 9/8/2004 affirming Hearing Officer's decision of 5/24/2004 and ordered the Department not issue a CON to CTC for radiation therapy service at Henry County.

**Appealed to Superior Court:** CTC filed Petition for Judicial Review in the Fulton County Superior Court on 10/11/2004. IRT and Griffin filed Cross Petition for Judicial Review on 10/8/2004.

**Additional Information:** RCG withdrew its appeal of CTC's project and on 2/24/04 the hearing officer ordered that the CON granted by the Department to RCG is deemed unopposed. Hearing shall proceed with CTC, IRT, and Griffin.

**2003-070 Open MRI & Imaging of Albany, LLC (Dougherty)**

Addition of Fixed-Based MRI Unit

**Agency Decision:** Approved January 30, 2004

**Appealed By:** Phoebe Putney Memorial Hospital, Inc. filed an appeal in opposition on 2/26/04; Motion to Intervene filed by Palmyra Medical Centers; motion denied by Hearing Officer on 6/10/04.

**Hearing Officer:** Melvin Goldstein

**Hearing Date:** Hearing scheduled for 8/25/2004 at 9:30am. Hearing date set for 9:30 am was postponed. Hearing rescheduled for 11/8/2004 at 9:30 am. Hearing was held on 11/8/2004 and 11/9/2004. The final day of hearing was 12/10/2004.

**Hearing Decision:** Pending

**Additional Information:** Hearing Officer issued Order denying Phoebe Putney's motion to remand and granting Open MRI's motion to quash, 11/4/2004.

**2003-097 Amedisys Home Health of Augusta (Richmond)**

**2003-118 CSRA Diversified, Augusta (Richmond)**

**2003-120 CareSouth, Washington (Wilkes)**

**2003-122 Guardian Home Care of East Georgia (Richmond)**

Establishment of New Home Health Agency in SSDR 7 (Batching Cycle)

**Agency Decision:** On 3/8/2004, CareSouth was approved; Amedisys, Healthfield, United, CSRA Diversified, TM Ventures, CHMG, Guardian and CSRA Nursing were denied.

**Appealed By:** Amedisys contests the denial of their application and the approval of CareSouth. Guardian and CSRA Diversified contests denial of their applications. Amedisys, Guardian and CSRA Diversified requests intervention in any other appeal filed in this batch; On 6/3/2004 CRSA Diversified withdrew its request for an appeal. On 6/7/2004 Guardian withdrew request for hearing. Hearing Officer issued decision on 11/22/2004 and ordered that DCH's decision to award a CON to CareSouth and deny a CON to Amedisys be affirmed that a CON be issued to CareSouth for it to expand into Burke, Columbia, Glascock, Jefferson, Jenkins, Richmond, Warren and Washington Counties.

**Hearing Officer:** Walter Van Heiningen

**Hearing Date:** Hearing scheduled for 9/13/04 at 9:30am.

Hearing held 9/13 - 14/2004 at 9:30am.

**Hearing Decision:** Pending

**2003-108 Atlanta Oncology Associates at Reynolds Plantation (Greene)**

Construction of New Cancer Treatment Center

**Agency Decision:** Approved on 4/8/2004

**Appealed By:** Radiotherapy Clinics of Georgia-Covington and East Georgia Radiation Oncology Center filed opposition on 4/30/04; Oconee Regional Medical Center filed opposition on 5/5/04; MCG Health, Inc. appealed on 5/7/2004. Radiotherapy dismissed their appeal, 7/16/04.

**Hearing Officer:** Ellwood Oakley

**Hearing Date:** Hearing scheduled for 11/1/04 at 9:00am; Hearing has been re-scheduled for 1/18/2005 at 9:00am.

**2003-128 Spalding Regional Medical Center (Spalding)**

Development of a 20-Bed Adult Comprehensive Inpatient Rehab Unit

**Agency Decision:** Approved 4/23/2004.

**Appealed By:** Southern Regional Health System, 5/24/2004

**Hearing Officer:** Melvin Goldstein

**Hearing Date:** Hearing scheduled for 1/10-12/2005 at 9:30am.

**Additional Information:** Spalding Regional relinquished GA Project No. 2003-128 effective 12/16/04.

**2004-012 Camden Medical Center (Camden)**

Development of Fixed-Based MRI Services

**Agency Decision:** Approved 5/28/2004.

**Appealed By:** Open MRI of Camden appealed on 6/23/2004.

**Hearing Officer:** Melvin Goldstein

**Hearing Date:** Hearing is scheduled for 9:30am on 10/13/2004

**Hearing Decision:** Hearing Officer issued decision on 10/12/2004 and ordered Camden's Motion to Dismiss is granted and Open MRI of Camden's appeal is dismissed. Open MRI of Camden filed objections to Hearing Officer's decision and requested oral argument before full Review Board, 11/9/2004.

**Review Board Decision:** Review Board Meeting scheduled for 12/10/2004 at 10:00 am. Review Board meeting held on 12/10/2004 at 10:00am. Decision pending.

**2004-022 N. Atlanta Diagnostic and Cardiovascular Center d/b/a Global Diagnostic, LLC (Fulton)**

Establishment of Diagnostic Imaging Service

**Agency Decision:** Approved 8/31/2004.

**Appealed By:** Northside Hospital, 9/3/2004 and Diagnostic Imaging of Atlanta, 9/3/2004.

**Hearing Officer:** Melvin Goldstein

**Hearing Date:** Hearing scheduled 11/15-17/2004.

**Hearing Decision:** Pending

**2004-031 Tanner Medical Center (Carroll)**

Acquisition of PET/CT Scanner

**Agency Decision:** Approved 8/26/2004

**Appealed By:** WellStar Kennestone, 9/23/2004; On 12/14/2004 WellStar Kennestone dismissed their appeal.

**Hearing Officer:** Walter Van Heiningen

**Hearing Date:** TBA

**2004-033 Athens Ambulatory Surgery Center, LLC (Clarke)**

Establishment of Freestanding, Multi-Purpose Ambulatory Surgery Center

**Agency Decision:** Denied 9/16/2004

**Appealed By:** Applicant 10/15/2004

**Hearing Officer:** Melvin Goldstein

**Hearing Date:** TBA

**2004-036 Northside Hospital (Fulton)**

Acquisition of an Open MRI Unit

**Agency Decision:** Approved 8/10/2004.

**Appealed By:** First Source Diagnostic Center, Inc., 9/9/2004; North Atlanta Scan Associates, Inc, 9/9/2004.

**Hearing Officer:** William Joy

**Hearing Date:** Hearing scheduled for 12/7/2004 at 10:00am. Hearing to be rescheduled.

**2004-039 First Source Diagnostic Center (Forsyth)**

**2004-050 Johns Creek Diagnostic Imaging Center**

2004-039 Procurement of MRI Equipment

2004-050 Develop an outpatient freestanding multi-modality DTRC

**Agency Decision:** First Source Diagnostic Center, Inc. approved on 9/24/2004; Johns Creek Diagnostic Imaging Center approved on 9/24/2004

**Appealed By:** Diagnostic Imaging of Atlanta requested hearing in opposition, 10/4/2004. Johns Creek Diagnostic Imaging Center requested hearing in opposition, 10/12/2004, and requested intervention in any appeal involving Diagnostic Imaging of Atlanta to the extent that such hearing is not consolidated with the hearing requested by Johns Creek. Northside Hospital requested hearing in opposition, 10/18/2004. Emory Dunwoody requested hearing in opposition, 10/20/2004. First Source Diagnostic moved to intervene in any proceedings regarding Johns Creek Diagnostic's application and its CON, 11/3/2004.

**Hearing Officer:** Walter Van Heiningen

**Hearing Date:** TBA

**2004-045 Fayette Community Hospital (Fayette)**

New Perinatal Service

**Agency Decision:** Approved 9/8/2004.

**Appealed By:** Southern Regional Medical Center requested hearing in opposition, 10/6/2004. On 12/7/2004, Southern Regional withdrew its appeal; therefore, Hearing Officer affirmed the award of the CON to Fayette and dismissed the appeal on 12/10/2004.

**Hearing Officer:** William Joy

**Hearing Date:** TBA

**2004-048 Phoebe Putney Memorial Hospital Imaging Center (Dougherty)**

**2004-054 Albany Diagnostic Center, LLC**

Development of Outpatient Imaging Center

**Agency Decision:** Phoebe Putney Memorial, Denied 11/5/2004; Albany Diagnostic Center, Denied 11/5/2004

**Appealed By:** Albany Diagnostic Center requested hearing on 11/9/2004; Phoebe Putney Memorial requestd hearing on 11/15/2004 and seeks intervention in any appeal regarding the joined application of Albany Diagnostic. Palmyra Park Hospital requested intervention in any appeal filed by Phoebe or Albany, 11/23/04. Open MRI & Imaging of Albany requested intervention in any appeal filed by Phoebe or Albany, 11/29/04.

**Hearing Officer:** Melvin Goldstein

**Hearing Date:** TBA

**2004-055 WellStar Kennestone Hospital (Cobb)**

Addition of CyberKnife Stereotactic Radiosurgery Unit

**Agency Decision:** Approved 10/29/2004

**Appealed By:** Piedmont Hospital 11/24/2004

**Hearing Officer:** Ellwood Oakley

**Hearing Date:** TBA

**2004-061 Radiotherapy Clinics of Georgia (DeKalb)**

Establishment of New Radiation Therapy Services

**Agency Decision:** Denied 10/21/2004

**Appealed By:** Radiotherapy Clinics of Georgia. Atlanta Oncology filed a Motion to Intervene, 11/30/2004.

**Hearing Officer:** William Joy

**Hearing Date:** TBA

## Appealed Determinations

### **DET-2003-001 Alliance Imaging, Inc.**

Requested determination regarding acquisition and operation of mobile CT scanner. Requested hearing on determination canceling Letter of Exemption. Cancellation of Determination: 1/15/2004. Appealed by applicant on 2/3/2004. Clifford M. Weiss is Hearing Officer.

### **DET-2003-002 Stockbridge Diagnostic Imaging**

Requested determination regarding acquisition of Refurbished Philips CT System. Requested hearing on determination canceling Letter of Exemption dated 1/15/2004. Appealed by applicant on 2/6/2004. Clifford M. Weiss is Hearing Officer.

### **DET-2004-069 Atlanta Oncology Associates, PC – Northside/Alpharetta Cancer Treatment Center**

Change location of its radiation therapy facility and linear accelerator. Request approved on 1/21/2004 but Department cancelled its determination on 4/28/2004. Applicant requested hearing on 5/28/2004. Clifford Weiss is Hearing Officer.

### **DET- 2004-001 North Atlanta Scan Associates, Inc.**

NASA requested hearing for the purpose of contesting the validity of a cease and desist letter issued by Department on 11/14/2003. Hearing Officer is Melvin Goldstein. Georgia Alliance of Community Hospitals, Inc. and Diagnostic Imaging of Atlanta have sought intervention. Hearing began 2/25/2004 and continued to 3/18-19/2004. Hearing Officer issued decision on 4/19/2004 denying NASA's appeal. On 6/30/2004, NASA filed Motion for Withdrawal of Final Agency Decision and Request for Rehearing, Reconsideration and Stay. On 7/14/2004, Commissioner Burgess denied NASA's motion. On 8/13/2004 NASA filed petition for judicial review in the Superior Court of Fulton County to stay the Department's decision and for injunctive relief. On 11/29/2004, Superior Court ordered NASA to cease and desist all operations at the Peachtree Dunwoody Road facility until it applies for and receives CON approval. DIA and Georgia Alliance mandamus actions were rendered moot.

### **DET-2004-079 United Medical System, dba PET Scans of America**

United Medical Systems requested hearing on 7/7/2004 to contest cease and desist order issued by Department on 6/17/2004. Hearing Officer is Clifford Weiss.

### **DET-2004-036 Coliseum Medical Centers and Coliseum Surgery Center**

Requested transfer of four endoscopy procedure rooms from hospital to Same-Day Surgery Center without CON review. Denied 6/17/2004. Coliseum requested a hearing on 7/15/2004. Hearing Officer is Ellwood Oakley. Hearing scheduled 12/8-9/2004. Hearing to be rescheduled.

### **1995-092-CAN Southern Crescent Rehabilitation & Retirement Center**

Requested hearing on 10/26/2004 for the purpose of contesting a Notice of Cancellation issued by the Department. Hearing Officer is Walter Van Heiningen.

### **DET-2003-020-CAN Piedmont Hospital-Fayette Community Hospital**

Requested hearing on 11/12/2004 to contest cancellation of Determination Letter of 2/13/2003. Hearing Officer is Ellwood Oakley.

### **2004-039-C&D First Source Diagnostic Center, Inc.**

On 10/25/04, the Department issued a second Cease and Desist letter requiring First Source to cease offering MRI services until the resolution of all pending appeals. First Source requested hearing contesting this second cease and desist letter, 11/19/04. Hearing Officer is Walter Van Heiningen.

### **2002-106-CAN & EXT Health Scholarships, Inc., dba Ethica Health and Retirement**

Granted a CON to construct 80-bed nursing facility on 3/7/2003. On 2/20/2004 Health Scholarships requested a nine-month extension of initial twelve-month duration period. Extension denied 2/24/2004. Applicant appealed denial of extension on 3/4/2004 (2002-106-EXT). Department issued Cancellation Notice effective 3/26/2004 due to non-compliance. On 4/28/2004 Health Scholarships appealed the Department's cancellation of the CON (2002-106-CAN). Walter Van Heiningen is Hearing Officer. Hearing Officer issued decision on 7/22/2004 affirming the decision of the Department to deny the

extension of time and to cancel the CON. On 8/20/2004, Health Scholarships filed Application for Review of Hearing Officer's Decision with Commissioner Burgess. Commissioner affirmed the initial decision of the hearing officer on 10/25/2004. Health Scholarships filed Petition for Judicial Review on 11/20/2004 with Superior Court of Bibb County. Department acknowledged service on 11/29/2004.

## **Requests For Letters Of Non-Reviewability For Establishment Of Physician-Owned Ambulatory Surgery Facilities**

### **LNR-ASC-2004-018 Thomasville Orthopedic Ambulatory Surgery Center**

Establish a physician-owned, single specialty ambulatory surgery center

**Site:** Smith Avenue, Thomasville, GA

**Number of OR's:** 2                   **Specialty:** Orthopaedics

**Physician(s) authorization requested:** 4 - Frederick R. Nusbickel, MD; Charles E. Hancock, MD; Bradley N. Walter, MD; Richard W. Murphy, MD

**Project costs as submitted:** \$200,117.00

**Request received:** 6/14/04

**Contact person:** Brenda J. Fletcher, (229) 226-9141

**Determination:** Pending           **Determination Date:**

### **LNR-ASC-2004-019 Meredyth Surgery Center, PC**

Establish a single-specialty, physician-owned ambulatory surgery center

**Site:** 2709 Meredyth Drive, Suite 210, Albany, GA 31707

**Number of OR's:** 2                   **Specialty:** Ophthalmology

**Physician(s) authorization requested:** 1 – Joseph Chandler Berg, MD

**Project costs as submitted:** \$645,500

**Request received:** 6/15/2004

**Contact person:** Neil W. Hoffman, Ph.D., J.D., (404) 815-6032

**Determination:** LNR Issued   **Determination Date:** 12/14/2004

### **LNR-ASC-2004-022 Marietta Eye Clinic, PA**

Develop a physician-owned, single specialty ambulatory surgery center

**Site:** 895 Canton Road, Building 200, Marietta, GA 30060

**Number of OR's:** 3                   **Specialty:** Ophthalmology

**Physician(s) authorization requested:** 11

**Project costs as submitted:** \$1,358,335

**Request received:** 7/2/2004

**Contact person:** Daniel M. Beall, (770) 394-8465

**Determination:** Pending           **Determination Date:**

### **LNR-ASC-2004-026 Associates Surgery Center**

Operate a physician-owned, single specialty ambulatory surgery center

**Site:** 864 First Street, Macon, GA 31201

**Number of OR's:** 2                   **Specialty:** Ophthalmology

**Physician(s) authorization requested:** 1 – J. Gregory Jones, M.D.

**Project costs as submitted:** \$642,000

**Request received:** 9/9/2004

**Contact person:** J. Gregory Jones, MD, (478) 741-1741

**Determination:** LNR Issued   **Determination Date:** 12/14/2004

### **LNR-ASC-2004-027 Foot & Ankle Center of Middle Georgia, LLC**

Establish a physician-owned, single specialty, ambulatory surgery center

**Site:** 1040 Morningside Drive, Perry, GA

**Number of OR's:** 1                   **Specialty:** Podiatry

**Physician(s) authorization requested:** 1 - Sarvepalli D. Jokhai

**Project costs as submitted:** \$478,032.35

**Request received:** 9/8/2004

**Contact person:** Roger N. Phillips, (770) 335-9797

**Determination:** Pending           **Determination Date:**

**LNR-ASC-2004-028 South Georgia Surgery Center, LLC**

Operate a physician-owned, single specialty, ambulatory surgery center

**Site:** 306 Isabella Street, Waycross, GA 31501

**Number of OR's:** 1 **Specialty:** Pain Medicine

**Physician(s) authorization requested:** 1 - Michael J. Lupi, MD

**Project costs as submitted:** \$521,083.28

**Request received:** 8/18/2004

**Contact person:** Daniel J. Mohan, (404) 504-7610

**Determination:** LNR Issued **Determination Date:** 11/22/2004

**LNR-ASC-2004-029 The Orthopedic Surgery Center, LP**

Operate a physician-owned, single specialty, office based ambulatory surgery center

**Site:** 2317 East First Street, Vidalia, GA 30474

**Number of OR's:** 1 **Specialty:** Orthopedics

**Physician(s) authorization requested:** 15

**Project costs as submitted:** \$923,695.00

**Request received:** 9/28/2004

**Contact person:** Michael W. Kleinpeter, (912) 695-1761

**Determination:** LNR Issued **Determination Date:** 12/14/2004

**LNR-ASC-2004-031 The Orthopedic Surgery Center, LP**

Operate a physician-owned, single-speciality, office-based ambulatory surgery center

**Site:** 16741 Suite A, Highway 67 South, Statesboro, GA 30458

**Number of OR's:** 2 **Specialty:** Orthopedics

**Physician(s) authorization requested:** 16

**Project costs as submitted:** \$1,231,045.00

**Request received:** 11/1/2004

**Contact person:** Michael W. Kleinpeter, (912) 355-0140

**Determination:** Pending **Determination Date:**

**LNR-ASC-2004-032 Gwinnett Digestive Clinic, PC**

Develop a physician-owned, single specialty, ambulatory surgery center

**Site:** 475 Philip Boulevard, Suite 304, Lawrenceville, GA 30045

**Number of OR's:** 2 **Specialty:** Gastroenterology

**Physician(s) authorization requested:** 1 – Bhuvanendram Indrakrishnan, MD

**Project costs as submitted:** \$238,719.30

**Request received:** 11/12/2004

**Contact person:** Gayle Evans, RN MBA, (770) 794-4944

**Determination:** Pending **Determination Date:**

**LNR-ASC-2004-033 Carrollton Orthopaedic Clinic**

Establish a physician-owned, single specialty, ambulatory surgery center

**Site:** 150 Clinic Avenue, Suite 101, Carrollton, GA

**Number of OR's:** 1 **Specialty:** Orthopaedics

**Physician(s) authorization requested:** 7

**Project costs as submitted:** \$192,480.27

**Request received:** 11/15/2004

**Contact person:** Roger N. Phillips, (770) 592-3701

**Determination:** Pending **Determination Date:**

**LNR-ASC-2004-034 Southern Ambulatory Surgery Center, LLC**

Establish a physician-owned, single specialty, ambulatory surgery center

**Site:** 5955 States Bridge Road, Duluth, GA 30097

**Number of OR's:** 2 **Specialty:** Orthopaedics

**Physician(s) authorization requested:** 12

**Project costs as submitted:** \$1,125,863.78

**Request received:** 11/19/2004

**Contact person:** Melissa P. Malcom, (770) 957-1199

**Determination:** Pending **Determination Date:**

**LNR-ASC-2004-035 The Houston Orthopedic Surgery Center, LLC**

Establish a physician-owned, single specialty, ambulatory surgery center

**Site:** 3051 Watson Boulevard, Suite 550, Warner Robins, GA

**Number of OR's:** 2 **Specialty:** Orthopedics

**Physician(s) authorization requested:** 5

**Project costs as submitted:** \$1,348,564.28

**Request received:** 12/7/2004

**Contact person:** Clyde L. Reese, III, (404) 477-2850

**Determination:** Pending **Determination Date:**

## Requests for Letters of Non-Reviewability for MRI Units

**LNR-MRI-2004-013 Shared Imaging, Inc., St. Charles, Illinois**

Request to acquire a Philips ACS NT Power 1000 1.5 Mobile MRI unit with Trailer

**Site:** Irwin County Hospital, Ocilla, Georgia (2 days per week) and Effingham County Hospital, Springfield, Georgia (2 days per week)

**Value as Submitted:** \$664,113.75 **Request Received:** 7/6/2004

**Contact Person:** Daniel J. Mohan (404) 504-7610

**Determination:** Letter Issued **Determination Date:** 12/1/2004

**LNR-MRI-2004-024 North Dekalb Orthopedics, PC, Decatur, Georgia**

Request to purchase, operate, and use a 1997 Siemens Open Viva MRI

**Site:** 505 Irvin Court, Decatur, Georgia 30030

**Value as Submitted:** \$518,129.00 **Request Received:** 10/14/2004

**Contact Person:** Robert S. Bachner, MD (404) 294-4111

**Determination:** Letter Issued **Determination Date:** 12/8/2004

**LNR-MRI-2004-025 South Atlanta Neurology & Pain Clinic, PC, Stockbridge, Georgia**

Request to purchase, operate, and use a refurbished Siemens Magnetom Open Viva .035T MRI system in a new office location

**Site:** 1040 Eagle's Landing Parkway, Suite 102, Stockbridge, Georgia 30281

**Value as Submitted:** \$595,790.00 **Request Received:** 11/12/2004

**Contact Person:** Everette B. Jenkins (678) 625-4720

**Determination:** Letter Issued **Determination Date:** 12/2/2004

**LNR-MRI-2004-026 MedCross Imaging Center, Stockbridge, Georgia**

Request to purchase, operate, and use a General Electric 1.5T Signa 5X MRI system and a refurbished GE CTi Spiral CT Scanner

**Site:** 1107 Eagle's Landing Parkway, Stockbridge, Georgia 30281

**Value as Submitted:** \$595,000.00 **Request Received:** 11/12/2004

**Contact Person:** Dr. Kuo Lam Lee (478) 374-4305

**Determination:** Pending **Determination Date:**

**LNR-MRI-2004-027 OpenSided MRI of Atlanta, LLC, Atlanta, Georgia**

Request to purchase, operate, and use a used Hitachi AIRIS MRI unit

**Site:** 993-C Johnson Ferry Road, Suite 105, Atlanta, Georgia 30342

**Value as Submitted:** \$562,085 **Request Received:** 12/1/2004

**Contact Person:** Michael J. McConnell, Esq. (404) 581-8526

**Determination:** Letter Issued **Determination Date:** 12/22/2004

**LNR-MRI-2004-028 Neurology Specialists of Savannah, Savannah, Georgia**

Request to purchase, operate, and use a used Hitachi AIRIS II 0.3T MRI unit

**Site:** 6602 Waters Avenue, Building C, Savannah, Georgia 31406

**Value as Submitted:** \$706,808.79 **Request Received:** 12/13/2004

**Contact Person:** Dr. E. Frank Lafranchise (912) 355-1010

**Determination:** Pending **Determination Date:**

**LNR-MRI-2004-029 The Harbin Clinic, LLC, Rome, Georgia**

Request to purchase, operate, and use an ONI OrthOne MRI

**Site:** 1825 Martha Berry Boulevard, Rome, Georgia 30161

**Value as Submitted:** \$437,200.00

**Request Received:** 12/15/2004

**Contact Person:** Kathryn MT Platt (770) 551-9550

**Determination:** Pending

**Determination Date:**

## Requests for Miscellaneous Letters of Determination

**DET-2004-120 Newnan Hospital-West, Newnan, Georgia**

Request for determination as to whether an expansion of operating room capacity would be subject to CON review

**Request Received:** 9/30/2004

**Contact Person:** Jennifer D. Malinovsky (404) 817-6136

**Determination:** Reviewable as Proposed

**Determination Date:** 12/3/2004

**DET-2004-121 WellStar Kennestone Hospital, Marietta, Georgia**

Request for determination for replacement of existing PET equipment

**Request Received:** 10/8/2004

**Contact Person:** Caroline C. Aultman (770) 792-7600

**Determination:** Non-Reviewable as Proposed

**Determination Date:** 12/15/2004

**DET-2004-123 Albany Urology Clinic, PC, Albany, Georgia**

Request to acquire and operate a Siemens Refurbished SOMATOM Emotion CT Scanner

**Request Received:** 10/13/2004

**Contact Person:** Timothy S. Trulock, MD (229) 883-1503

**Determination:** Non-Reviewable as Proposed

**Determination Date:** 12/15/2004

**DET-2004-124 Stockbridge Diagnostic Imaging, LLC, Stockbridge, Georgia**

Request to acquire and operate a Philips MX8000 CT System at a cost below the equipment threshold for DTRCs

**Request Received:** 10/25/2004

**Contact Person:** Jason Hatchette (770) 300-0101

**Determination:** Pending

**Determination Date:**

**DET-2004-130 Open MRI of Camden, LLC, Kingsland, Georgia**

Request to acquire and operate a GE Lx/i HiSpeed CT System at a cost below the equipment threshold for DTRCs

**Request Received:** 11/1/2004

**Contact Person:** Kevin Carroll (912) 729-2600

**Determination:** Non-Reviewable as Proposed

**Determination Date:** 12/22/2004

**DET-2004-134 Henry Medical Center, Stockbridge, Georgia**

Request for determination regarding addition of CT scanner below threshold

**Request Received:** 11/17/2004

**Contact Person:** G. Sam Ahern (770) 389-2240

**Determination:** Pending

**Determination Date:**

**DET-2004-135 University Hospital, Augusta, Georgia**

Request for determination for proposed replacement and upgrade of two cardiac catheterization laboratories

**Request Received:** 11/19/2004

**Contact Person:** David P. Henderson (706) 828-2454

**Determination:** Non-Reviewable as Proposed

**Determination Date:** 12/9/2004

**DET-2004-136 The Specialty Hospital, Rome, Georgia**

Request for determination to increase bed capacity by 10 percent

**Request Received:** 11/23/2004

**Contact Person:** J. Mark Fall (706) 802-4100  
**Determination:** Non-Reviewable as Proposed

**Determination Date:** 12/15/2004

**DET-2004-137 Summit Endoscopy Center, LLC, Fayetteville, Georgia**

Request for determination to undertake capital expenditures to add fourth operating room to physician-owned, single specialty, office-based ambulatory surgery center

**Request Received:** 10/20/2004

**Contact Person:** Alan H. Matilsky (770) 951-7945

**Determination:** Non-Reviewable as Proposed

**Determination Date:** 12/15/2004

**DET-2004-138 Saint Joseph's Hospital, Atlanta, Georgia**

Request for determination regarding replacement of cath lab equipment

**Request Received:** 11/30/2004

**Contact Person:** Douglas J. Holbrook (404) 851-5933

**Determination:** Non-Reviewable as Proposed

**Determination Date:** 12/15/2004

**DET-2004-139 Rabun County Hospital, Clayton, Georgia**

Request for determination regarding the licensed and CON-approved bed capacity of hospital

**Request Received:** 11/1/2004

**Contact Person:** Lori Spencer, Esq. (404) 583-8000

**Determination:** Determination Issued

**Determination Date:** 12/2/2004

**DET-2004-140 Anchor Hospital, Atlanta, Georgia**

Request for determination to increase bed capacity by 10 percent

**Request Received:** 11/30/2004

**Contact Person:** Trey Carter (770) 991-6044

**Determination:** Non-Reviewable as Proposed

**Determination Date:** 12/15/2004

**DET-2004-141 Gentiva Health Services, Atlanta, Georgia**

Request for determination regarding development of additional branches or sub-units of home health agency

**Request Received:** 12/5/2004

**Contact Person:** Ruth C. Schwartz (800) 677-2244 x2288

**Determination:** Non-Reviewable as Proposed

**Determination Date:** 12/15/2004

## Requests for Extended Implementation/Performance Period

**2003-055 North Fulton Regional Hospital**

Expansion of surgical and emergency services, reconfiguration of beds  
Request to extend initial implementation period until December 2, 2005.

**Site:** 3000 Hospital Boulevard (Fulton)

**Project Approved:** 12/4/2003

**Initial Duration Period Expiration:** 12/2/2004

**Contact:** Elizabeth Lamkin (770) 751-2500    **Approved Cost:** \$29,922,528

**Determination:** Approved    **Extended Initial Duration Period:** August 2, 2005

**2003-040 The Emory Clinic, Inc.**

MRI Upgrade

Request to extend performance period until March 11, 2005.

**Site:** 1365 Clifton Road, N.E., Atlanta (DeKalb)

**Project Approved:** 11/13/2003

**Initial Duration Period Expiration:** 11/11/2004

**Contact:** Mike Mason (404) 778-5000    **Approved Cost:** \$841,426

**Determination:** Pending    **Extended Initial Duration Period:**

## HEALTH PLANNING REVIEW BOARD MEMBERS

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## **What's New in Certificate of Need**

### **New Certificate of Need Rules**

The Board of Community Health unanimously adopted the majority of the proposed CON rules at the regular board meeting on Wednesday, December 8, with the exception of 272-2-.07(5). The proposed rules become effective 20 days after they are submitted to the Secretary of State's office. The effective date of the rules is January 5, 2005. The new rules will be applicable to any project deemed complete after the effective date, January 5, 2005. Current pending and complete projects as of January 4, 2005 remain subject to the existing CON rules.

Additionally, an updated and revised CON application will be available at the Department's website on or before January 5, 2005. The revised application will be compatible with the new rules and will be required for any CON application submitted on or after January 5, 2005, the effective date for the new rules. Several other forms, including an opposition form, amendment and additional information form, as well as, forms for major equipment LNR determination requests, will be available at the Department's website. These forms will be compatible with the new rules and will also be required on and after the effective date of the new rules.

The Department appreciates your compliance with all CON rules and regulations and looks forward to working with you during this transition period. Please forward any questions to the Department's main CON extension at 404-656-0456.

## **Upcoming Imaging Initiative and Guidelines for Submitting Future Certificate of Need Applications**

The Department of Community Health's Division of Health Planning, along with some collaboration from CON has developed a major imaging initiative for CON Regulatory Compliance, Health Planning and Data Management documents. The Division will implement its imaging initiative in early 2005 that will include imaging of all CON applications, Health Planning rules and component plans, and Data Management need projections, surveys, threshold guidelines, etc. The imaging initiative will be extensive and will afford greater public review and access capacity. The Department will publish more detail and information as well as a final implementation and availability date in upcoming Tracking and Appeals Reports for your convenience. Please forward any questions regarding the upcoming imaging initiative to the main Division of Health Planning extension at 404-656-0455.

In order to facilitate imaging of CON applications and associated documents, please follow the guidelines below to submit a CON application on or after the January 5, 2005 effective date for the new CON rules. With any application submitted on or after January 5, 2005 please

### **Do Not**

- Put the application in any kind of binder
- Punch holes in the pages
- Put separator tabs between sections
- Use colored paper
- Use staples or paper clips
- Use paper sizes other than 8 ½" x 11" (reduce drawings as necessary to fit on regular-size paper)
- Print on both sides of the page
- Include small photographs (scan the photographs and print on 8 ½" x 11" paper)

## **New Rules for the State Health Planning Review Board**

The State Health Planning Review Board unanimously adopted proposed updates and amendments to the Review Board Rule 274.1-.01 et seq. on December 10, 2004. The rules, as adopted, are available at the Department's website, [www.dch.state.ga.us](http://www.dch.state.ga.us), Certificate of Need link, and the State Health Plans, Rules and Publications link. The new rules will be applicable to any appeal hearing scheduled after the December 10, 2004 effective date.