



## Did You Know?

- Florida's CON program currently restricts 11 services—ranging from acute hospital beds to organ transplants and psychiatric services—requiring a CON from the state before the service may be offered.

In reports from [the Federal Trade Commission and the U.S Department of Justice](#) for the last decade and recently in April 2017,

- The Agencies historically have suggested that states consider repeal or retrenchment of their CON laws.
- CON laws can prevent the efficient functioning of health care markets in several ways that may undermine the goals of reducing health care costs and improving access to care.

According to a [Mercatus](#) study in 2015,

- In Miami-Dade County (with a population around 2.62 million), the CON program results in approximately:
  - 3,428 fewer hospital beds;
  - 5 to 10 fewer hospitals offering MRI services; and
  - 18 fewer hospitals offering CT scans.

## REFRESHER: HB 27 CERTIFICATES OF NEED FOR HOSPITALS

### BACKGROUND

The certificate of need (CON) program, administered by the Agency for Health Care Administration (AHCA), requires certain health care facilities to obtain state approval before offering certain new or expanded services. HB 27 eliminates CON and provides licensure requirements for hospitals.

Last session's CON bill, CS/CS/HB 7, passed the House, but died in the Senate. It was reintroduced by Rep. Fitzenhagen and was reported favorably by the Health & Human Services Committee on December 5, 2017.

**The bottom line:** HB 27 eliminates barriers to better health care services and access in Florida.

### BILL HIGHLIGHTS

- The bill eliminates CON review requirements for hospitals and hospital services. As a result, any person wishing to build or replace a hospital, or establish specialized services in a hospital, need only go through the AHCA licensure process.
- The bill also:
  - Removes the CON review requirement for increasing the number of comprehensive rehabilitation beds in a facility that offers comprehensive rehabilitation services; and
  - Ensures that AHCA has rulemaking authority, after the repeal of the CON review requirements for hospitals, to maintain quality requirements for specialized services offered in hospitals.