

State Regulatory Requirements

Certificate of Need

Georgia, like most states, has a health planning law known as Certificate of Need (CON), which is administered by the Department of Community Health (DCH). The CON law plays an essential role in helping the state promote geographic and financial access to health care services, contain health care costs, and promote quality of care. It also supports the continued availability of unprofitable, but essential, services provided by hospitals 24 hours a day, 7 days a week. These include emergency services, trauma services, intensive care services, neonatal intensive care services, and the most complex inpatient surgical services.

The CON law requires that the development of a “new institutional health service,” or the construction or expansion of an existing facility such as a hospital, skilled nursing facility or home health agency be subject to the CON review process and obtain approval from DCH. The law often requires an applicant to commit to provide a specified amount of indigent and charity care; to demonstrate that a need exists for the proposed service or facility; and to consider the impact of the proposal on existing providers in the same health planning area. This process recognizes the unique role hospitals play in their communities, both by offering a wide range of services unavailable elsewhere and by providing care to anyone who comes to the emergency department, regardless of his or her ability to pay.

In recent years, the General Assembly has enacted substantial reforms to Georgia’s CON laws to help address access in rural areas, streamline the regulatory process, and designate by geographic area those who can oppose an application. GHA has supported these reforms and updates as they did not erode protections of the CON process.

Health Care Facility Licensure and Regulation

DCH is the state agency responsible for licensing many of Georgia’s health care facilities, including hospitals. In 2010, the General Assembly passed House Bill (H.B.) 994, which authorized DCH to establish annual licensure fees for hospitals and other licensed facilities to cover the cost of licensure activities. DCH’s Health Care Facility Regulation Division surveys hospitals for compliance with both state licensure requirements and Medicare’s Conditions of Participation (COPs). Hospitals that are accredited by The Joint Commission or DNV Healthcare are deemed by DCH and Medicare to be in compliance with the state licensure requirements and Medicare’s COPs. However, DCH conducts periodic validation surveys of such hospitals to ensure compliance.

Practitioner Licensure

Licensure of individual health care providers such as physicians, physician assistants and nurses is a function of the state. In Georgia, the Composite Medical Board licenses physicians, physician assistants (including anesthesiologist assistants), physician residents in training, perfusionists, respiratory care professionals, acupuncturists, orthotists, prosthetists, and auricular (ear) detoxification specialists. Many other providers, including nurses, nurse practitioners, physical therapists, occupational therapists, pharmacists and others, are regulated by boards under the Secretary of State Professional Licensing Board Division or attached to the Georgia Department of Community Health. Licensure boards are partially funded by fees paid by the licensees. In addition to licensure and the investigation of complaints, each board makes rules and policies in conformity with the stated purpose of the board and the mission mandated by state law.

For More Information

Composite Medical Board
www.medicalboard.georgia.gov

Secretary of State
Professional Licensing Board Division
sos.ga.gov/index.php/licensing

Board of Pharmacy
www.gbp.georgia.gov

Board of Dentistry
www.gbd.georgia.gov