

House File 2263 - Introduced

HOUSE FILE 2263

BY R. TAYLOR

A BILL FOR

1 An Act relating to the certificate of need process applicable
2 to the planning and delivery of health services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 135.61, subsection 18, paragraphs c, g,
2 h, i, j, and l, Code 2018, are amended to read as follows:

3 c. Any capital expenditure, lease, or donation by or
4 on behalf of an institutional health facility in excess
5 of ~~one five million five hundred thousand~~ five million dollars within a
6 twelve-month period.

7 g. Any acquisition by or on behalf of a health care provider
8 or a group of health care providers of any piece of replacement
9 equipment with a value in excess of ~~one five million five~~
10 ~~hundred thousand~~ dollars, whether acquired by purchase, lease,
11 or donation.

12 h. Any acquisition by or on behalf of a health care
13 provider or group of health care providers of any piece of
14 equipment with a value in excess of ~~one five million five~~
15 ~~hundred thousand~~ dollars, whether acquired by purchase, lease,
16 or donation, which results in the offering or development of
17 a health service not previously provided. A mobile service
18 provided on a contract basis is not considered to have been
19 previously provided by a health care provider or group of
20 health care providers.

21 i. Any acquisition by or on behalf of an institutional
22 health facility or a health maintenance organization of any
23 piece of replacement equipment with a value in excess of ~~one~~
24 five million ~~five hundred thousand~~ dollars, whether acquired by
25 purchase, lease, or donation.

26 j. Any acquisition by or on behalf of an institutional
27 health facility or health maintenance organization of any piece
28 of equipment with a value in excess of ~~one five million five~~
29 ~~hundred thousand~~ dollars, whether acquired by purchase, lease,
30 or donation, which results in the offering or development of
31 a health service not previously provided. A mobile service
32 provided on a contract basis is not considered to have been
33 previously provided by an institutional health facility.

34 l. Any mobile health service with a value in excess of ~~one~~
35 ~~million five hundred thousand~~ million dollars.

1 Sec. 2. Section 135.61, subsection 21, Code 2018, is amended
2 to read as follows:

3 21. *“Outpatient surgical facility”* means a facility which
4 as its primary function provides, through an organized medical
5 staff and on an outpatient basis to patients who are generally
6 ambulatory, surgical procedures not ordinarily performed in
7 a private physician’s office, but not requiring twenty-four
8 hour hospitalization, and which is neither a part of a hospital
9 nor the private office of a health care provider who there
10 engages in the lawful practice of surgery. *“Outpatient surgical*
11 *facility”* includes a facility certified or seeking certification
12 as an ambulatory surgical center, under the federal Medicare
13 program or under the medical assistance program established
14 pursuant to [chapter 249A](#). *“Outpatient surgical facility”* does
15 not include an outpatient surgical facility, located in a
16 county with a population over thirty thousand, that is offered
17 or developed, and owned by, a group of health care providers.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation’s substance by the members of the general assembly.

21 This bill relates to the certificate of need process under
22 Code chapter 135 relative to the planning and delivery of
23 health services. The bill increases the threshold amount
24 applicable to new institutional health services or changed
25 institutional health services that must be met to be subject to
26 the certificate of need process from \$1.5 million to \$5 million
27 for all of the following:

- 28 1. Any capital expenditure, lease, or donation by or on
29 behalf of an institutional health facility in excess of such
30 amount within a 12-month period.
- 31 2. Any acquisition by or on behalf of a health care provider
32 or a group of health care providers of any piece of replacement
33 equipment with a value in excess of such amount whether
34 acquired by purchase, lease, or donation.
- 35 3. Any acquisition by or on behalf of a health care provider

1 or group of health care providers of any piece of equipment
2 with a value in excess of such amount, whether acquired by
3 purchase, lease, or donation, which results in the offering or
4 development of a health service not previously provided. A
5 mobile service provided on a contract basis is not considered
6 to have been previously provided by a health care provider or
7 group of health care providers.

8 4. Any acquisition by or on behalf of an institutional health
9 facility or a health maintenance organization of any piece of
10 replacement equipment with a value in excess of such amount,
11 whether acquired by purchase, lease, or donation.

12 5. Any acquisition by or on behalf of an institutional
13 health facility or health maintenance organization of any piece
14 of equipment with a value in excess of such amount, whether
15 acquired by purchase, lease, or donation, which results in the
16 offering or development of a health service not previously
17 provided. A mobile service provided on a contract basis is not
18 considered to have been previously provided by an institutional
19 health facility.

20 6. Any mobile health service with a value in excess of such
21 amount.

22 The bill also amends the definition of outpatient surgical
23 facility by excluding from the definition an outpatient
24 surgical facility, located in a county with a population over
25 30,000, that is offered or developed, and owned by, a group
26 of health care providers, thereby exempting these specific
27 outpatient surgical facilities from the certificate of need
28 process.