

Senate Bill 99

By: Senators Dolezal of the 27th, Watson of the 1st, Brass of the 28th and Cowsert of the 46th

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to
2 exemptions from certificate of need requirements, so as to provide an exemption for acute
3 care hospitals established in rural counties that meet certain criteria; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to exemptions
8 from certificate of need requirements, is amended in subsection (a) by striking "and" at the
9 end of paragraph (28), by replacing the period at the end of paragraph (29) with "; and", and
10 by adding a new paragraph to read as follows:

11 "(30)(A) An acute care hospital established on or after July 1, 2023, in a rural county,
12 as defined in Code Section 31-8-9.1, that will:

13 (i) Provide inpatient hospital services;

14 (ii) Participate in both Medicaid and Medicare and will accept both Medicaid and
15 Medicare patients;

16 (iii) Provide health care services to indigent patients;

- 17 (iv) Have at least 10 percent of its annual net revenue categorized as indigent care,
18 charity care, or bad debt;
- 19 (v) Annually file IRS Form 990, Return of Organization Exempt From Income Tax,
20 with the department, or for any hospital not required to file IRS Form 990, the
21 department will provide a form that collects the same information to be submitted to
22 the department on an annual basis;
- 23 (vi) Be current with all audits and reports required by law.
- 24 (B) In the event that the county in which an acute care hospital established in
25 accordance with this paragraph is located no longer meets the definition of a rural
26 county after such hospital has commenced operations, the hospital shall be deemed to
27 continue to meet the requirements of this paragraph for as long as such hospital
28 continues to operate."

29

SECTION 2.

30 All laws and parts of laws in conflict with this Act are repealed.