

**HEALTH SERVICES PLANNING AND
REVIEW BOARD**

MISSION STATEMENT

- To encourage public participation and understanding of the certificate of need process.
- To make a positive contribution toward the effort to control health care capital expenditures and the management of increases in health care capital costs.
- To promote the delivery of essential health care services to the citizens of New Hampshire by establishing standards to improve the quality, cost effectiveness of and access to health care.
- To cultivate knowledge and understanding of health care delivery systems by engaging in planning efforts and data collection.

GENERAL INFORMATION

Any entity considering a health care project should contact the HSPR office before proceeding to determine if the project requires a CON.

The review of CON applications is governed by the CON law, administrative rules and applicable review standards.

Applicants with a CON-approved project must contact the relevant licensing, registration and certification agencies to determine requirements applicable to the operation of the project.

CON FEES

- Annual administrative fees are assessed to each licensed hospital, specialty hospital and nursing home in New Hampshire; these facilities are not subject to any application filing fee.
- All others are subject to an application fee of ¼ of one percent of total cost of the project, min. \$500/ max. \$12,000.
- A fee of \$1,000 is required for any review of a rule or development of a new rule.

CONTACT INFORMATION

**DEPT. OF HEALTH AND HUMAN
SERVICES**

Commissioner's Office
603-271-9200 Fax 603-271-4912

**Division of Public Health Services
Director's Office**
603-271-4501 Fax 603-271-4827

**Office of Health Services Planning and
Review (CON Program)**
603-271-4606 Fax 603-271-4141

Bureau of Radiological Health
603-271-4588 Fax 603-225-2325

Bureau of Health Facilities Administration
603-271-9499 Fax 603-271-4968

CON WEB SITE

<http://www.dhhs.nh.gov/dphs/hspr>



Margaret Wood Hassan, GOVERNOR

NEW HAMPSHIRE

**CERTIFICATE
OF NEED
PROGRAM**

2015



**Shaping Quality, Cost and
Access**

WHAT IS THE CON PROGRAM?

Certificate of Need (CON) is a state regulatory program intended to determine the appropriateness of health care services and facilities developed in the State of New Hampshire.

New Hampshire's CON Program was enacted in 1979 and is administered and managed by the Health Services Planning and Review Board within the Department of Health and Human Services. The governing statute is RSA 151-C. Go to <http://www.dhhs.nh.gov/dphs/hspr> for additional information.

WHAT IS COVERED BY THE CON PROGRAM?

A CON is required to:

- Construct or modify health care facilities.
- Acquire new medical equipment (MRI, PET, radiation therapy, cardiac catheterization).
- Offer new inpatient care beds or services.

Capital expenditures for projects are subject to a threshold that is indexed annually by the Board based on the R.S. Means Construction Cost Index. The 2015 threshold is as follows:

\$3,050,117 for any acute care facility project.

\$2,033,411 for any nursing home, ambulatory surgical facility or specialty hospital project.

\$866,751 for any ambulatory surgical facility within the service area of a hospital with fewer than 70 licensed beds.

\$400,000 for medical equipment.

REVIEW STANDARDS

The Health Services Planning and Review Board, a 5-member independent body appointed by the Governor and Executive Council, has approved CON review standards for determining the need for the following health care services and facilities:

- Acute Care (General) Hospital Beds and Services
- Ambulatory Surgery Centers
- Cardiac Catheterization and Cardiac Surgery
- Inpatient Physical Rehabilitation Beds and Services
- Inpatient Adult Psychiatric Beds and Services
- Inpatient Substance Abuse Beds and Services
- Long Term Acute Care Hospitals (LTACH)
- Nursing Home Beds and Services
- Megavoltage Radiation Therapy (RT) Equipment and Services
- Magnetic Resonance Imaging (MRI)
- Positron Emission Tomography (PET)
- Transfer of Ownership of Non-Medicare/Medicaid Facilities

The HSPR Board is the entity responsible for developing and approving review standards, as well as making decisions in the review of CON applications.

Determinations of whether a project requires CON approval, whether a project complies with applicable requirements or whether other requirements apply must be obtained in writing from the HSPR Board.

Projects costing less than the statutory threshold should obtain from the HSPR Board a Not Subject to Review (NSR) determination to satisfy other state certification, registration and/or licensing requirements.

HOW DOES THE CON PROCESS WORK?

- If a need for new beds, equipment or services is found, the HSPR Board issues an RFA (Request for Applications).
- The applicant attends a technical assistance meeting to obtain application materials.
- The applicant files by paper the completed application with the Board (one original and 15 copies).
- Within 15 business days of receipt of an application, the Board staff reviews it for completeness and requests any necessary additional information.
- The applicant has 15 business days to submit the requested information to the Board staff.
- If necessary, the Board staff will engage the applicant in a second completeness (10 business days) review and/or third completeness (5 business days) review on the application.
- Board staff determines the application complete and enters formal review.
- A public hearing is scheduled before the Board.
- A decision is issued within 90 calendar days.
- If the decision is an approval, the CON Certificate and findings are issued within 45 days of the decision.
- If the decision is a denial, the applicant has 20 business days to request a reconsideration hearing.
- The Board will determine approval or denial of the reconsideration hearing.
- If the reconsideration hearing is approved, the applicant files by paper reconsideration documentation (one original and 15 copies).
- A reconsideration hearing is scheduled before the Board and a final decision and findings are issued within 25 business days of the hearing.