



March 16, 2020

**Guidance Regarding the Certificate of Need Process**

**and the**

**State's Response to COVID-19 Outbreak**

OHS\_HSP Guidance 20-001

**Effective immediately, pursuant to Governor Lamont's Executive Order 7B, the Executive Director of the Office of Health Strategy (OHS) may waive Certificate of Need (CON) statutory and regulatory requirements for certain transactions, covered under Chapter 368z of the Connecticut General Statutes, intended to increase access to critical healthcare services for the management of the COVID-19 public health emergency.**

**Additionally, until further notice, any public hearing the Executive Director deems necessary for any CON application, pursuant to Conn. Gen. Stat. §§ 19a-639a(d) through 19a-639a(f) shall be conducted remotely. Notice will be given to parties, intervenors and the public regarding how these proceedings will be conducted.**

Any Applicant seeking a temporary waiver of the CON requirements for a transaction intended to promote the State's ability to respond to and manage the COVID-19 public health emergency shall submit a letter to the Executive Director of the OHS containing:

1. The name of the Applicant requesting the waiver, including a point of contact and mailing and email address, and phone number.
2. A description of the Proposal, including:
  - a. The identification of gap(s) in service or need that the Proposal will fill.



- b. How the Proposal will support or enhance the State's ability to manage the COVID-19 public health emergency.
  - c. How the Proposal will support or enhance the public's access to services for evaluation for and/or treatment of the COVID-19 virus.
  - d. The primary service area for the proposed service(s) or facility.
  - e. For any equipment acquisition, the method by which the Applicant will acquire said equipment, and the terms of said acquisition.
3. An attestation that the facility, service or equipment for which the waiver is requested is intended to be used for the management and treatment of the COVID-19 virus.
  4. The Executive Director of OHS, or designee, will review the request and determine whether additional information is needed. The Executive Director, upon receipt of a complete request, will issue a decision within twenty-four (24) business hours.

Waivers granted pursuant to this Guidance, as authorized by [Governor Lamont's Executive Order 7B](#), shall only be effective until the public health emergency is lifted by the Governor. Thereafter, any Applicant wishing to continue to use any equipment or operate any facilities or services for which a waiver was approved must file a CON application, consistent with the established statutory and regulatory CON requirements.

For any questions, please contact the Office of Health Strategy, Health Systems Planning Unit at 860-418-7008.



March 20, 2020

**Guidance Regarding How to Request a Temporary CON Waiver For the Provision of Healthcare Services during the COVID-19 Public Health Emergency**

OHS\_HSP Guidance 20-002

Pursuant to Governor Lamont's Executive Order 7B, the Executive Director of the Office of Health Strategy (OHS) may waive **Certificate of Need (CON)** statutory and regulatory requirements for certain transactions, covered under Chapter 368z of the Connecticut General Statutes, intended to increase access to critical healthcare services for the management of the COVID-19 public health emergency.

**There is no fee associated with requesting a temporary waiver of CON requirements for proposals that are intended to promote the State's ability to respond to and manage the COVID-19 public health emergency.** Any Applicant seeking a temporary waiver of the CON requirements shall:

1. Complete a COVID-19 Waiver Form.
2. Register to use the Certificate of Need Portal.
3. Contemporaneously upload the completed COVID-19 Waiver Form to the Certificate of Need Portal as a "Determination" rather than a "CON Application"; *and* electronically mail the completed form to [Micheala.Mitchell@ct.gov](mailto:Micheala.Mitchell@ct.gov)

For any questions regarding this Guidance, please email [Micheala.Mitchell@ct.gov](mailto:Micheala.Mitchell@ct.gov)



March 25, 2020

**Guidance Regarding the Temporary Waiver of CON Requirements for Approval of Increased Licensed Bed Capacity and the Temporary Suspension of Services at Connecticut Hospitals during the COVID-19 Public Health Emergency**

OHS\_HSP Guidance 20-003

Pursuant to Governor Lamont's Executive Order 7B, the Executive Director of the Office of Health Strategy (OHS) may waive **Certificate of Need (CON)** statutory and regulatory requirements for certain transactions, covered under Chapter 368z of the Connecticut General Statutes, intended to increase access to critical healthcare services for the management of the COVID-19 public health emergency.

**Effective March 25, 2020, Connecticut hospitals, licensed by the Department of Public Health under chapter 368v, are no longer required to submit a COVID-19 Waiver Form to request a temporary increase in licensed bed capacity or to temporarily suspend (as opposed to terminate) inpatient or outpatient services in order to diagnose and treat COVID-19 patients.** Any hospital seeking a temporary waiver of the CON requirements shall:

1. Complete a COVID-19 Notification for a Temporary Increase in Licensed Bed Capacity or Temporary Suspension of Services by a Hospital form.
2. Electronically mail the completed form to the following email addresses:  
[Micheala.Mitchell@ct.gov](mailto:Micheala.Mitchell@ct.gov) and [Brian.Carney@ct.gov](mailto:Brian.Carney@ct.gov)

Waivers granted pursuant to this Guidance, as authorized by Executive Order 7B, shall only be effective during the pendency of the public health emergency. Thereafter, any hospital wishing to retain the additional beds approved during the emergency or to terminate a suspended inpatient or outpatient service, must file a CON application, consistent with the established statutory and regulatory CON requirements.

For any questions regarding this Guidance, please email [Micheala.Mitchell@ct.gov](mailto:Micheala.Mitchell@ct.gov)



March 31, 2020

**Revised Guidance Regarding the Temporary Waiver of CON Requirements for Approval of Increased Licensed Bed Capacity and the Temporary Suspension of Services at Connecticut Hospitals and Outpatient Surgical Facilities during the COVID-19 Public Health Emergency<sup>1</sup>**

OHS\_HSP Guidance 20-003b

Pursuant to Governor Lamont's Executive Order 7B, the Executive Director of the Office of Health Strategy (OHS) may waive **Certificate of Need (CON)** statutory and regulatory requirements for certain transactions, covered under Chapter 368z of the Connecticut General Statutes, intended to increase access to critical healthcare services for the management of the COVID-19 public health emergency.

**Connecticut hospitals and outpatient surgical facilities are no longer required to submit a COVID-19 Waiver Form to request a temporary increase in licensed bed capacity or to temporarily suspend (as opposed to terminate) services in order to diagnose and treat COVID-19 patients.** Any hospital or outpatient surgical facility seeking a temporary waiver of the CON requirements shall:

1. Complete a COVID-19 Notification for a Temporary Increase in Licensed Bed Capacity or Temporary Suspension of Services by a Hospital or Outpatient Surgical Facility Form.
2. Electronically mail the completed form to the following email addresses:  
[Micheala.Mitchell@ct.gov](mailto:Micheala.Mitchell@ct.gov) and [Brian.Carney@ct.gov](mailto:Brian.Carney@ct.gov)

Waivers granted pursuant to this Guidance, as authorized by Executive Order 7B, shall only be effective during the pendency of the public health emergency. Thereafter, any hospital or outpatient surgical facility wishing to retain the additional beds approved during the emergency or to terminate a suspended service, must file a CON application, consistent with the established statutory and regulatory CON requirements.

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<sup>1</sup> Revised to include outpatient surgical facilities on March 31, 2020.