



Exempt Action Final Regulation Agency Background Document

Agency name	Department of Health
Virginia Administrative Code (VAC) citation	12 VAC 5-220-160
Regulation title	Medical Care Facilities Certificate of Public Need Rules and Regulations
Action title	Amend 12VAC5-220-160 for 21 st consideration
Final agency action date	
Document preparation date	June 11, 2008

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

HB502(2007) adds a twenty-first consideration to the criteria listed in §32.1-102.3 of the Code of Virginia for the State Health Commissioner to consider when determining a public need for a medical care facility or service project that requires a Certificate of Public Need (COPN). This new criteria addresses whether a proposed project: (i) increases citizen accessibility, (ii) demonstrates community support and, (iii) introduces institutional competition into a health planning region.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On August ***, 2008, the State Health Commissioner, acting for the Board of Health when not in session, approved this nondiscretionary action to amend 12VAC5-220-160.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This action will have no impact on the institution of the family or family stability.