

(e) Notwithstanding all other provisions of this article to the contrary, an existing home health agency may accept referrals of patients from outside its Medicare certified service area without obtaining a certificate of need, provided all of the following conditions are met:

(1) The county of the referral is contiguous to a county for which the home health agency held a certificate of need or an exemption granted pursuant to provisions of Section 22-21-263, on April 16, 1998.

(2) The home health agency establishes no branch office in the county of the referral.

(3) The home health agency incurs no capital expenditures in the county of the referral in excess of five hundred dollars (\$500).

The home health agency shall notify the SHPDA that it has begun accepting referrals from a county contiguous to its service area within 14 days of the receipt of the first referral from the contiguous county. No notice to the SHPDA shall be required related to subsequent referrals in the same contiguous county. The SHPDA shall take steps to provide for the inclusion of statistical information relating to the service to referrals outside the Medicare certified service area in its annual statistical reports. The SHPDA shall charge the home health agency no fee for servicing referrals outside the service area. (Acts 1977, 1st Ex. Sess., No. 82, p. 1509, § 5; Acts 1979, No. 79-577, p. 1033, § 2; Acts 1982, 2nd Ex. Sess., No. 82-770, p. 249, § 5; Acts 1990, No. 90-468, § 1; Acts 1994, No. 94-209, p. 279, § 1; Acts 1995, No. 95-565, p. 1179, § 1; Act 98-339, § 1.)

HISTORY

Amendment notes:

The 1998 amendment, effective April 16, 1998, added subsection (e) and the undesignated subsection thereunder.