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To: Pisarik, HollyHollyPisarik@gov.sc.gov

CC: Robby KerrKerr@kerrandcompany.us

Date: 9/21/2015 12:56:34 PM

Subject: CON

Attachments: Senate Medical Affairs Hearing Summary.doc.docx

ATT00001.htm

CON-Laws-State-Map-05-13.png

ATT00002.htm

150113ncconadv.pdf

ATT00003.htm

150113ncconad-jdwcomment.pdf

ATT00004.htm

DOJ CON letteri.pdf

ATT00005.htm

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SCHA CON One Pager21092015.pdf

ATT00007.htm

Holly,

Robby Kerr asked that I forward you the information we have compiled pertaining to the Certificate of Need program. I have attached a number of documents for your consideration.

Please find attached:

- 1) Summary of testimony from Senate Medical Affairs hearing
- 2) CON Map of States
- 3) 2 Letters from FTC in response to NC legislation (July 2015)
- 4) 2007 Department of Justice testimony in Georgia
- 5) FTC testimony in Virginia regarding CON (August 2015)
- 6) South Carolina Hospital Association Position (House Con Ad Hoc Committee in 2014)

Additionally we previously contacted Marina Lao, Director of the Office of Policy Planning, pertaining to the process for obtaining FTC comments. Let her know that the major themes we are hearing from those opposed to repeal of CON in South Carolina are that market principles cannot work in health care and that eliminating CON will result in higher costs and adversely impact access to care and quality. She advised that the FTC would review and provide feedback regarding proposed CON legislation pursuant to an official request from the Governor's Office or a legislator. It generally takes 4-6 weeks for them to review and comment pursuant to a state's specific request.

Please do not hesitate to let us know if we can provide additional information.

Thanks.

Susan Bowling

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