

Firm Secures Reversal from Department of Community Health in Certificate of Need Case

August 20, 2021

Today, Robbins Firm attorneys Josh Belinfante and Dan Monahan secured a reversal of the denial of a Certificate of Need (“CON”) application to establish one of the first ever freestanding emergency departments (“FSED”) in the State of Georgia. The firm’s client, a national healthcare company, sought Commissioner review of the Georgia Department of Community (“DCH”) Health Appeal Panel’s decision to deny a CON to establish an FSED in Columbia County, Georgia.

The application had been initially approved but was denied on intermediate appeal following an evidentiary hearing. However, the Robbins Firm presented strong legal authority on appeal, demonstrating why the intermediate appeal ruling was contrary to Department regulations and statutory authority, thus requiring reversal. DCH Commissioner Caylee Noggle agreed, overturning the Appeal Panel’s decision and permitting the Columbia County project to move forward as initially approved.

For more information, please contact Josh Belinfante or Dan Monahan.