

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

Today, Robbins Firm attorneys Josh Belinfante and Dan Monahan secured a reversal of the grant of summary adjudication as to two contested Certificate of Need (“CON”) applications. The firm’s client, a national healthcare company, sought Commissioner review of the Georgia Department of Community Health Appeal Panel’s decision to deny a CON to establish the first ever freestanding emergency departments (“FSED”) in Bryan and Chatham Counties, Georgia.

The applications had been initially approved but were denied on intermediate appeal based on pre-hearing motions. However, the Robbins Firm presented strong legal authority on appeal, demonstrating why the motions were procedurally improper and the grant of summary adjudication was fatally premature, thus requiring reversal. The Commissioner agreed, overturning the Appeal Panel’s decision and permitting the hearing to move forward.

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