

## Trial Court Invalidates Department of Community Health Regulation in Favor of Our Client

This week, Robbins Firm attorneys Josh Belinfante and Kimberly Anderson won an appeal of a Certificate of Need decision issued by the Department of Community Health. Judge Tom Campbell of Fulton County Superior Court reversed the Department's decision, which granted a certificate of need to build a \$16 million, multi-specialty ambulatory surgery center in Acworth, Georgia pursuant to an "atypical barrier exception" in the Department's regulations. In his decision, Judge Campbell determined this regulatory exception conflicts with Certificate of Need statutory mandates, exceeds the Department's authority, and thus, is unconstitutional.

For more information, please contact Josh Belinfante or Kimberly Anderson.