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**LeadingAge Virginia Comments on Virginia's Certificate of Public Need Program**

LeadingAge Virginia has a significant interest in the Certificate of Public Need (COPN) program since nursing facilities are impacted this law. LeadingAge Virginia (formerly VANHA) is a statewide association that represents nonprofit retirement housing communities throughout Virginia, including nursing facilities, assisted living facilities, continuing care retirement communities, and adult day service providers.

LeadingAge Virginia supports the COPN law remaining intact, but believes the process could be significantly streamlined as a means to not create regulatory barriers to more competition and patient choice. Following are some recommendations to streamline the process:

- Update the State Medical Facilities Plan (SMFP) as required by law every two years.
- Modernized the SMFP to reflect the changing health care environment and the shift to more integrated care.
- Eliminate unnecessary steps in the COPN review process, such as holding public hearings, and consider more effective ways of obtaining public input. The hearings result in additional time and expense and are very rarely attended. In lieu of hearings, consider developing a public comment timeframe where interested parties could submit written comments to the Department of Health (Department), COPN Division. The Department could then have the discretion to hold a public hearing if the comments warranted such action.
- Consider implementing a flexible interpretation as to when an Informal Fact-Finding Conference (IFFC) is necessary. As a result, the Department may find that an IFFC is not needed in certain cases.
- Increase transparency of the COPN process by making all filings available on-line.

In closing, the COPN law should remain intact, but steps could be taken to improve and modernize the process. Following are questions for the work group to consider moving forward:

- How can the COPN process be changed to encourage and assist health care providers to become more innovative and pursue strategies that lower costs and improve quality?
- How can regulatory agencies and health care providers be held accountable to ensure the COPN program is keeping up with industry standards?

