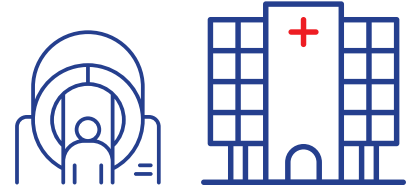


CERTIFICATE OF NEED *Assures Access to Care*



Kentucky's Certificate of Need (CON) law helps to assure that citizens across the Commonwealth have access to care when they need it. Hospitals generally provide a number of unprofitable services to their communities so that community access is assured for critical services despite their money-losing nature. CON makes it possible to offer those necessary but money-losing services.

- Opponents of CON start from the **flawed premise that there is a free market in health care. THERE IS NOT.**
- The **federal government largely dictates health care pricing in Kentucky** because 70-80% of patients in Kentucky hospitals are covered by Medicare or Medicaid.
- Neither Medicare nor Medicaid cover the full cost of services – **cost NOT charges** - provided to patients.
- The federal Emergency Medical Treatment and Labor Act (EMTALA) **requires hospitals to see and treat anyone who comes into the Emergency Department regardless of their ability to pay.**
- Like 35 other states and the District of Columbia, Kentucky maintains a CON law that **PREVENTS CHERRY-PICKING** of certain profitable services by non-hospital health care providers.
- **Kentucky hospitals provide services at rates much lower than states without CON laws and Kentucky has more hospitals and physicians per 100,000 population and per 1,000 square miles than non-CON states and an equal number of Medicare certified ambulatory surgical centers per 1,000 square miles.**
- Kentucky has the **sixth lowest price (net payment) per inpatient discharge** in the U.S.
- **Given the government-driven nature of the health care marketplace,** CON is crucial for patient access to care.
- Kentucky hospitals are examining how CON can be modernized **to remove unnecessary restrictions and anachronisms.**

For the sake of patient health, Kentucky must retain CON.

For more information, contact:

JIM MUSSER, KHA Senior Vice President, Policy & Government Relations
jmusser@kyha.com or 502-593-2339