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ARIZONA TAX RESEARCH ASSOCIATION

ATRA OPPOSES HB2609

Undermines the Statewide Process for Certifying Emergency Medical Service Providers

HB2609 undermines the current Certificate of Necessity (CON) process in vetting applicants for the delivery of emergency medical services (EMS) across the state of Arizona.

Under the current CON process, the Administrative Law Judge (ALJ) conducts a thorough review of the facts and a public hearing is held in which all interested parties (i.e. those affected by the new CON) can participate. Some of the considerations by the ALJ include whether there is a need for services and, if a CON holder already exists, how the addition of another provider will affect the existing provider. If the ALJ approves the CON, the recommendation goes to the Director to make the final determination.

HB2609 as amended would eliminate the public hearing and ALJ fact-finding process and a CON applicant need only apply to the Director of DHS. The Director would have 180 days to make a determination but without the benefit of a comprehensive review of the facts by the ALJ. A public hearing would only occur if an existing CON holder were to appeal the Director's determination *after* the new CON is awarded. Allowing the affected CON holder to appeal the Director's determination *only after* the new CON has been awarded does nothing more than undermine the integrity of the current CON process.

The Legislature recognized decades ago that regulating the delivery of emergency medical services is of the utmost importance to the health and safety of Arizonans and HB2609 eliminates the necessary oversight to ensure those protections.

ATRA Strongly Encourages Lawmakers to Vote NO on HB2609!