Integral Healthcare Solutions

State licensing and certificate of need consulting for healthcare start-ups

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What to have ready

North Carolina's statute is the reference for this list; check each item against your own state's law.

1. A written description of each planned service, checked against whether it is a “new institutional health service” (G.S. 131E-178(a) [https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_131E/GS_131E-178.html]).
2. Confirmation of whether your state operates a CON program; NCSL counts 35 states and Washington, D.C. as of April 29, 2025 (NCSL [https://www.ncsl.org/health/certificate-of-need-state-laws]).
3. The agency section that administers the program; in North Carolina, the HPCON Section of the Division of Health Service Regulation (NC DHHS [https://info.ncdhhs.gov/dhsr/coneed/]).
4. The current application form for your type of proposal, since forms “may vary according to the type of proposal” (G.S. 131E-182(b) [https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_131E/GS_131E-182.html]).
5. The need and financial data the form calls for: “such information as the Department, by its rules deems necessary to conduct the review” (G.S. 131E-182(b) [https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_131E/GS_131E-182.html]).
6. The proposed capital expenditure, which sets the North Carolina application fee (G.S. 131E-182(c) [https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_131E/GS_131E-182.html]).
7. Funds for a fee that “is not refundable, regardless of whether a certificate of need is issued” (G.S. 131E-182(c) [https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_131E/GS_131E-182.html]).
8. A project calendar that allows for a 90-day review, which G.S. 131E-185(a1) says begins “on the day established by rule” for the particular service in the service area, plus a possible extension of up to 60 days under 131E-185(c). G.S. 131E-182(a) has the Department set submission and review schedules by rule, so elapsed time includes waiting for the review start date (G.S. 131E-185 [https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_131E/GS_131E-185.html]; G.S. 131E-182 [https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_131E/GS_131E-182.html]).
9. A plan for written comments: “Any person may file written comments and exhibits concerning a proposal under review with the Department, not later than 30 days after the date on which the application begins review” (G.S. 131E-185 [https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_131E/GS_131E-185.html]).