

Summary Report

Certificate of Need Laws

Certificate of need is the regulatory process states use to determine whether new health care facility capacity should be permitted. Certificate of need has been around for 50 years. The laws identify whether there is need for a health care facility in a community and the process to apply for a permit to build. Increasing visibility, transparency, and understanding of these laws can hopefully provide policymakers with the tools to modernize certificate of need to improve equitable access to health care facilities for all people



- 22 jurisdictions require state health plans, but only 16 jurisdictions have current state health plans.
- 23 jurisdictions have facility specific criteria for certificate of need and 60% of jurisdictions with facility specific criteria do not have a current certificate of need health plan.
- 13 jurisdictions require certificate of need for end-stage renal disease facilities and 5 jurisdictions include facility specific criteria for end-stage renal disease facilities.
- 24 jurisdictions include health equity as a component to determine need.

This dataset displays variation across 50 states with certificate of need laws in effect as of August 21, 2020. Additional maps and tables are available at: www.lawatlas.org.