

# CERTIFICATE OF NEED

*Maine makes patients **wait for care that other states have***

**88%** of studies found CON laws worsened access

**91%** more rural emergency rooms in non-CON states

Maine is one of 35 states with Certificate of Need (CON) laws that increase the cost of healthcare and decrease availability, **making care scarcer**.

CON laws require **any** hospital, surgical center, or clinic to prove a "need" exists in the market before it can build or expand. It also allows **existing providers to weigh in on whether there is a need for those services, and to block their competitors' applications**. This is like Starbucks being able to say that there's no need for a new Dunkin'!

A 2025 review found that states with CON laws had **worse service availability** than states without them. States without CON laws have 91% more rural emergency rooms and 29% more hospitals than CON states. Rural ambulatory surgical centers (ASCs) per capita doubled on average across five states that **repealed** CON.

Maine's law applies to many types of medical facilities. Until 2026, it applied to ASC projects above \$3 million. That threshold was raised to **\$7.5 million after Governor Mills allowed LD 1890 to become law without her signature**.

## The Bottom Line:

### MAINE MUST REPEAL CON

There is no reason to limit healthcare investment, especially in rural Maine, while prices are rising and care is getting more scarce.

## The Solution:

1. Repeal all Certificate of Need requirements, including those for nursing homes, ASCs, major hospital equipment expenditures, etc. That's it!