

§331. Subsequent review following changes in project

When a certificate of need has been issued and changes occur as specified in this section, a subsequent review is required. [PL 2001, c. 664, §2 (NEW).]

1. Criteria for subsequent review. The following activities require subsequent review and approval if the department has previously issued a certificate of need and one or more of the following circumstances occur within 3 years after the approved activity is undertaken:

- A. There is a significant change in financing; [PL 2001, c. 664, §2 (NEW).]
- B. There is a change affecting the licensed or certified bed capacity as approved in the certificate of need; [PL 2001, c. 664, §2 (NEW).]
- C. There is a change involving the addition or termination of the health services proposed to be rendered; [PL 2001, c. 664, §2 (NEW).]
- D. There is a change in the site or the location of the proposed health care facility; or [PL 2001, c. 664, §2 (NEW).]
- E. There is a substantial change proposed in the design of the health care facility or the type of construction. [PL 2001, c. 664, §2 (NEW).]

[PL 2001, c. 664, §2 (NEW).]

2. Procedures for subsequent review. Any person proposing to undertake any activity requiring subsequent review and approval shall file with the department, within 30 days of the time that person first has actual knowledge of the circumstances requiring subsequent review, a notice setting forth the following information:

- A. The nature of the proposed change; [PL 2001, c. 664, §2 (NEW).]
- B. The rationale for the change including, where appropriate, an explanation of why the change was not set forth in the original application or letter of intent; and [PL 2001, c. 664, §2 (NEW).]
- C. Other pertinent detail subject to the procedures and criteria set forth in section 335. [PL 2001, c. 664, §2 (NEW).]

The department shall, within 30 days of receipt of the information, advise that person in writing whether the proposed change is approved. If not approved, the application must be treated as a new application under this Act. If approved, the department shall amend the certificate of need as appropriate.

[PL 2001, c. 664, §2 (NEW).]

SECTION HISTORY

PL 2001, c. 664, §2 (NEW).

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