

3701-12-09

**Certificate of need review and decision process.**

(A) The director shall review applications for certificates of need which have been declared complete to determine whether a certificate should be granted. The director shall ~~batch~~ conduct a comparative review by county for all applications ~~to add long-term care beds for comparative review by county made under a comparative review process. Applications to relocate long-term care beds are not additions.~~

(B) If the director does not receive an objection from an affected person, the director shall grant or deny all completed applications for certificate of need:

(1) ~~If the director does not receive an objection from an affected person, the director shall grant or deny all completed applications for certificates of need~~No later than sixty days after the date of mailing of notice of completeness under paragraph (J) of rule 3701-12-08 of the Administrative Code; or:

(a) ~~No later than sixty days after the date of mailing of notice of completeness under paragraph (E) of rule 3701-12-08 of the Administrative Code; or~~

(b) ~~To add long-term care beds:~~

(i) ~~No later than sixty days after the batching period, if notice of completeness is mailed on or before the end of the batching period; or~~

(ii) ~~No later than sixty days after the end of the next batching period, if notice of completeness is mailed after the batching period.~~

(2) No later than April thirtieth, or the next business day if April thirtieth is a weekend, of the year following the year in which the application is received for applications made under a comparative review process and a notice of completeness was mailed under paragraph (K) of rule 3701-12-08 of the Administrative Code.

~~(2)~~(3) The director or the applicant may extend the review period once, for no longer than thirty days, by written notice within thirty days after the mailing of the notice of completeness.

An extension by the director shall apply to all applications in a comparative review process. No applicant in a comparative review process may extend the review period.

(C) The director may grant a certificate of need for all or part of a project that is the

subject of the application and may grant the certificate with conditions that must be met by the holder of the certificate.

- (D) If the director does not grant or deny the certificate of need on or before the applicable deadline specified in paragraph (B) of this rule, the certificate shall be considered granted.
- (E) The director shall mail notice of the decision on an application for a certificate of need to the applicant by certified mail and to other persons by ordinary mail upon request. The notice shall include a statement of the reasons for the decision, citations of the applicable provisions of the Revised Code and Administrative Code, and a description of the right to appeal the decision, in accordance with sections 3702.60 and 119.07 of the Revised Code.

Effective:

R.C. 119.032 review dates: 12/10/2009

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 3702.52, 3702.57  
Rule Amplifies: 3702.52  
Prior Effective Dates: 12/21/1982 (Emer.), 3/19/83, 7/23/87 (Emer.),  
10/12/87, 5/16/88, 8/3/90, 5/20/91, 9/6/99, 9/1/08,