

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 60—Missouri Health Facilities Review Committee**  
**Chapter 50—Certificate of Need Program**

**Proposed Amendment**

**19 CSR 60-50.420 Review Process.** The committee proposes to remove subsection (3)(A)(2), amend sections (5), (7), (7)(A)(C) and (10).

*PURPOSE: The committee proposes to amend this rule for verbiage updates.*

(3) All filings must be received at the principal office of the committee during regular business hours. The CONP staff, as an agent of the committee, shall provide notification of applications received through publication of the Application Review Schedule (schedule) as follows:

(A) For full and expedited applications, the schedule shall include the filing date of the application, a brief description of the proposed service, the time and place for filing comments and requests for a public hearing, and the tentative date of the meeting at which the application is scheduled for review. Publication of the schedule shall occur *[on the next business day]* **within two (2) business days** after the filing deadline. The publication of the schedule is conducted through the following actions:

[2. *A press release about the CON application schedule shall be sent to all newspapers of general circulation and legislators in the applicant's proposed service area as supplied by the Department of Health and Senior Services (DHSS), Office of Public Information;*]

[3]2. The schedule shall be posted on the CON website; and

[4]3. The schedule shall be emailed to all affected persons who have registered with the CONP staff as having an interest in such CON applications; and

(5) **If an application is incomplete, the** *[The]* CONP staff shall notify the applicant in writing or by email *[regarding the completeness of a full CON application]* within fifteen (15) calendar days of filing a **full application** or within five (5) working days *[for]* **of filing** an expedited application.

(7) Subject to statutory time constraints, the CONP staff shall *[send]* **post** its written analysis **on the CON website and immediately notify the committee of the posting** by mail or email *[to the committee]* as follows:

(A) For full CON applications, the CONP staff shall *[send]* **post** the analysis **and immediately notify the committee at least** twenty (20) days in advance of the first committee meeting following the seventieth day after the CON application is filed. The written analysis of the CONP staff shall be sent to the applicant no less than fifteen (15) days before the meeting;

(C) *[For e]*Expedited applications which do not meet all statutory and rules requirements or those which have opposition*[, they]* will be considered at the earliest scheduled committee meeting where the written analysis by the CONP staff can be sent to the committee and the applicant at least seven (7) days in advance.

(10) In addition to using the Community Need Criteria and Standards as guidelines, the committee may also consider other factors to include, but not be limited to, the needs of residents based upon religious considerations, residents with HIV/AIDS, or mental health diagnoses, and special exceptions to the Community Need Criteria and Standards *[for new or additional long-term care beds]*.

*AUTHORITY: section 197.320, RSMo 2000.\* Emergency rule filed Aug. 29, 1997, effective Sept. 8, 1997, expired March 6, 1998. Original rule filed Aug. 29, 1997, effective March 30, 1998. Emergency rescission and rule filed June 29, 1999, effective July 9, 1999, expired Jan. 5, 2000. Rescinded and readopted: Filed June 29, 1999, effective Jan. 30, 2000. Emergency rescission and rule filed Dec. 14, 2001, effective Jan. 1, 2002, expired June 29, 2002. Emergency amendment filed Dec. 16, 2002, effective Jan. 1, 2003, expired Jan. 29, 2003. Rescinded and readopted: Filed Dec. 14, 2001, effective June 30, 2002. Amended: Filed Oct. 1, 2010, effective May 30, 2011. Amended: Filed March 10, 2014, effective Oct. 30, 2014. Amended: Filed August 9, 2019*

*\*Original authority: 197.320, RSMo 1979, amended 1993, 1995, 1999.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Health Facilities Review Committee, 3418 Knipp Drive, Suite F, Jefferson City, MO 65109 or via e-mail at [CONP@health.mo.gov](mailto:CONP@health.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*