

**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 60-50.430 Application Package.** The committee proposes to amend sections (2)(A), (2)(A)(4-5), (2)(B), (2)(B)(1-4,6-7), (2)(B)(7)(C-E), (2)(B)(7)(C)(4), (3)(A-C), (4)(A), (4)(B)(1-6), (4)(B)(6)(C)(1), (4)(B)(6)(C)(2)(E-F), (7), (8) and (8)(D), and add subsections (3)(D) and (4)(B)(7).

*PURPOSE: The committee proposes to amend this rule for statute and verbiage updates and add the requirement for the application package to include a timeline of events for the project proposal.*

(2) A written application package consisting of an electronic file in PDF format or a paper original shall be prepared and organized as follows:

(A) The CON Applicant's Completeness Checklists and Table of Contents [*should*] **shall** be used as follows:

4. Check the appropriate [“n/a”] “**N/A**” box if an item in the Review Criteria is “not applicable” to the proposal **type**; and

5. Restate the **Review Criteria** (preferably in bold type) and answer all [*items in the*] Review Criteria **items**.

(B) The application package [*should use*] **shall be based on** one (1) of the following CON Applicant's Completeness Checklists and Table of Contents appropriate to the proposed project **type**, as follows:

1. New Hospital Application (Form MO 580-2501[, *incorporated by reference*]). **Use this for a new or replacement hospital project;**

2. New or Additional Long-Term Care (LTC) Bed Application (Form MO 580-2502, [*incorporated by reference*]). Use this form **for a Residential Care Facility project, Assisted Living Facility project, Intermediate Care Facility project, [and] or Skilled Nursing Facility project [Facilities and] or Long-Term Care Hospital[s] project;**

3. New or Additional Long-Term Care Hospital (LTCH) Bed Application (also use Form MO 580-2502);

4. New or Additional Equipment Application (Form MO 580-2503[, *incorporated by reference*]);

6. Expedited LTC Renovation/Modernization Application (Form MO 580-2505[, *incorporated by reference*]); or

7. Equipment Replacement Application (Form MO 580-2506[*incorporated by reference*]).

(C) The application [*should*] **shall** be [*formatted into dividers using the following outline*] **divided into these sections:**

4. Divider IV. Financial Feasibility (only [*if*] required for full applications).

(D) Support Information [*should*] **shall** be included at the end of each [*divider*] section to which it pertains, and [*should*] **shall** be referenced in the [*divider*] **section** narrative. For applicants anticipating having multiple applications in a year, master file copies of such things as maps, population data (if applicable), board memberships, IRS Form 990, or audited financial statements may be submitted once, and then referred to in subsequent applications, as long as the information remains current.

(E) The application package [*should*] **shall** document the need or meet the additional information requirements in 19 CSR 60-50.450(4)–[(6)] **(5)** for the proposal by addressing the applicable Community Need Criteria and Standards using the standards in 19 CSR 60-50.440 through 19 CSR 60-50.460 plus providing additional documentation to substantiate why any proposed alternative Criteria and Standards should be used.

(3) An Application Summary shall be composed of the completed forms in the following order:

(A) Applicant Identification and Certification (Form MO 580-1861[, *incorporated by reference*]). Additional specific information about board membership may be requested, if needed;

(B) A completed Representative Registration (Form MO 580-1869[, *incorporated by reference*]) for the contact person and any others as required by section [197.326(1)] **197.326.1**, RSMo; and

(C) A detailed Proposed Project Budget (Form MO 580-1863[, *incorporated by reference*]);[, *with a*]

(D) An attachment which details how each line item was determined, including all methods and assumptions used. **Documentation of costs may be requested.**

(4) The Proposal Description shall include documents which:

(A) Provide a complete detailed description and scope of the project, and identify all [*the*] institutional services or programs which will be directly affected by this proposal;

(B) Describe the developmental details including:

**1. A timeline of anticipated events for the proposal from the time of the CON application review through project completion, including the commencement and completion of new construction or renovation, or purchase and installation of equipment.**

[1] **2.** A legible [*city or county*] **street or road** map showing the exact location of the facility or health service, and a copy of the site plan showing the relation of the project to existing structures and boundaries;

[2] **3.** Preliminary schematics for the project [*that specify the functional assignment of all space which will fit*] on an eight and one-half inch by eleven inch (8 1/2" × 11") format (not required for replacement equipment projects). [*The Certificate of Need Program (CONP) staff may request submission of an electronic version of the schematics, when appropriate.*] The function for each space, **including the location of each existing and proposed bed** before and after construction or renovation, shall be clearly identified and all space shall be assigned;

[3] **4.** Evidence of submission of architectural plans to the Division of Regulation and Licensure, Department of Health and Senior Services, for long-term care projects and other facilities (not required for [*replacement*] equipment projects);

[4] **5.** For long-term care proposals, existing and proposed gross square footage for the entire facility and for each institutional service or program directly affected by the project. If the project involves relocation, identify what will go into vacated space;

[5] **6.** Documentation **that the proposed owner owns** [*of ownership of*] the project site, or that the [*site is available through a signed*] **proposed owner has an executed** option to purchase or lease **the site**; and

[6] **7.** Proposals which include major [*and other*] medical equipment [*should*] **shall** include an equipment list with prices and **also** documentation in the form of bid quotes, purchase orders, catalog prices, or other sources to substantiate the proposed equipment costs;

(C) Proposals for new hospitals, new or additional long-term care (LTC) beds, or new major medical equipment must define the community to be served:

1. Describe the service area(s) population using year [2020] **2025** populations and projections [*which are consistent with those*] provided by the Bureau of Vital Statistics which can be obtained by contacting:

2. Use the maps and population data received from SEPHP with the CON Applicant's Population Determination Method to determine the estimated population for LTC projects, as follows:

(E) Provide historical utilization for each existing service affected by the proposal for each of the past three (3) **full** years;

(F) Provide utilization projections through at least three (3) **full** years beyond the completion of the project for all proposed and existing services directly affected by the project;

(7) 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*].

(8) The following forms cited in this rule are incorporated by reference and published by the Certificate of Need Program (CONP), [October 30, 2014] **December 13, 2019**, and may be downloaded from <http://health.mo.gov/information/boards/certificateofneed/forms.php>, obtained by **emailing a request to CONP@health.mo.gov** [mailing a written request with a self-addressed stamped envelope to CONP, PO Box 570, Jefferson City, MO 65102-0570], or acquired in person at the CONP Office, 3418 Knipp Drive, **Suite F**, Jefferson City, Missouri, **65102** (573) 751-6403. This rule does not include any later amendments or additions.

(D) Expedited LTC Bed Replace[-]ment/Expansion Application (Form MO 580-2504).

*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. Rescinded and readopted: Filed Dec. 14, 2001, effective June 30, 2002. Emergency rescission and rule filed Dec. 16, 2002, effective Jan. 1, 2003, expired June 29, 2003. Amended: Filed June 9, 2003, effective Nov. 30, 2003. Emergency amendment filed June 8, 2005, effective July 1, 2005, expired Dec. 30, 2005. Amended: Filed June 8, 2005, effective Dec. 30, 2005. Emergency amendment filed Aug. 14, 2006, effective Aug. 28, 2006, expired Feb. 23, 2007. Amended: Filed Aug. 14, 2006, effective March 30, 2007. 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. 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.*