



Ohio Revised Code

Section 3702.526 Acceptance of application for replacement certificate of need.

Effective: September 15, 2014

Legislation: House Bill 483 - 130th General Assembly

(A) Except as provided in division (B) of this section, the director of health shall accept an application for a replacement certificate of need for an activity described in division (A) of section 3702.511 of the Revised Code to replace an approved certificate of need if all of the following conditions are met:

(1) The applicant requests the replacement certificate of need so that the reviewable activity for which the approved certificate of need was granted can be implemented in a manner that is not in substantial accordance with the approved certificate of need.

(2) The applicant is the same as the applicant for the approved certificate of need or an affiliated or related person as described in division (B) of section 3702.523 of the Revised Code.

(3) The source of any long-term care beds to be relocated is the same as in the approved certificate of need.

(4) The application for the approved certificate of need was not subject to comparative review under section 3702.593 of the Revised Code.

(B) The director shall not accept an application for a replacement certificate that proposes to increase the number of long-term care beds to be relocated specified in the application for the approved certificate of need.

(C) For the purpose of determining whether long-term care beds are from an existing long-term care facility, the director shall consider the date of filing of the application for a replacement certificate to be the same as the date of filing of the original application for the approved certificate of need.

(D) Any long-term care beds that were proposed to be relocated in the approved certificate of need remain eligible to be recategorized as a different category of long-term care beds in the application



for a replacement certificate.

(E) The applicant shall submit with the application for a replacement certificate a nonrefundable fee equal to the application fee for the approved certificate of need.

(F) The director shall review and approve or deny the application for the replacement certificate in the same manner as the application for the approved certificate of need.

(G) Upon approval of the application for a replacement certificate, the original certificate of need is automatically voided.