

*Regulations of Connecticut State Agencies*

TITLE 19a. Public Health and Well-Being

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*Agency*

**Department of Public Health**

*Subject*

**Certificate of Need Application Process**

*Inclusive Sections*

**§§ 19a-639a-1—19a-639a-6**

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**Certificate of Need Application Process**

**Sec. 19a-639a-1. Public notification of certificate of need application**

Pursuant to section 19a-639a of the Connecticut General Statutes, not later than twenty days prior to the submission of a certificate of need application, the applicant shall publish notice that an application is to be submitted in a newspaper having substantial circulation in the area where the project is to be located. An applicant shall file the application not later than ninety days after publishing notice. The notice shall contain the following information:

- (1) A statement that the applicant is applying for a certificate of need pursuant to section 19a-638 of the Connecticut General Statutes;
- (2) A description of the scope and nature of the project;
- (3) The street address where the project is to be located; and
- (4) The total capital expenditure for the project.

(Effective April 9, 2013)

**Sec. 19a-639a-2. Newspapers with substantial circulation in town where project is to be located**

A list of towns in Connecticut and the corresponding newspapers of substantial circulation in each town are available on the Office's website. The Office will update the list as necessary.

(Effective April 9, 2013)

**Sec. 19a-639a-3. Certificate of need application**

(a) The application shall consist of the following:

(1) The appropriate application form which should be filled out in its entirety and all supporting documents should be attached to the application and referenced as either an attachment or exhibit in the order in which they appear in the application for the specific type of proposal, as follows, which are available and may be downloaded from the Office's website:

(A) Establishment of a new health care facility as defined in section 19a-630 of the Connecticut General Statutes;

(B) Establishment of an outpatient surgical facility;

(C) Establishment of a freestanding emergency department;

(D) Transfer of ownership of a health care facility;

(E) Termination of inpatient or outpatient services by a short-term acute care general hospital or children's hospital;

(F) Termination of surgical services by an outpatient surgical facility or a facility that provides outpatient surgical services as part of the outpatient surgery department of a hospital pursuant to section 19a-638 of the Connecticut General Statutes;

(G) Termination of an emergency department by a short-term acute care general hospital;

(H) Establishment of cardiac services;

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(I) Acquisition of any of the equipment enumerated in section 19a-638 of the Connecticut General Statutes;

(J) Increase in licensed bed capacity; and

(K) Increase in operating rooms by an outpatient surgical facility pursuant to section 19a-638 of the Connecticut General Statutes.

(2) A copy of the notice of the certificate of need application demonstrating that such notice was published for at least three consecutive days in a newspaper having substantial circulation in the town in which the project is going to be located pursuant to section 19a-639a of the Connecticut General Statutes;

(3) A description of the project setting forth the proposal in as much detail as possible. The description shall reference the applicable requirement for a certificate of need under section 19a-638 of the Connecticut General Statutes;

(4) The specific location of the facility, service or equipment;

(5) A detailed description of how the proposal relates to each of the guidelines and principles enumerated in section 19a-639 of the Connecticut General Statutes and any supporting documentation; and

(6) All other information as required by the specific application form, which is available on the Office's website.

(b) One original and four copies of the application shall be submitted to the Office at 410 Capitol Avenue, MS#13HCA, Hartford, CT 06134. The application shall be accompanied by the five hundred dollar filing fee pursuant to section 19a-639a of the Connecticut General Statutes. If the application including attachments or exhibits does not exceed fifty pages, it may be filed electronically in accordance with subsection (c) of this section.

(c) Applications not exceeding fifty pages may be filed electronically in PDF format. All applications exceeding fifty pages must be filed in accordance with subsection (b) of this section.

(d) Applications shall be deemed received on the date and time at which the Office receives the document or the complete electronic version of the document. Any documents received after normal business hours shall be deemed received on the following business day.

(Effective April 9, 2013)

**Sec. 19a-639a-4. Certificate of need - completeness review**

(a) Pursuant to section 19a-639a of the Connecticut General Statutes, the Office shall have thirty days to review the application and request additional information as necessary to complete the application. The applicant shall have sixty days from the date of the request to provide responses to the request for additional information and said responses may be filed electronically in PDF format or via facsimile. If the applicant fails to respond within the sixty day time frame, the application shall be deemed withdrawn in accordance with section 19a-639a of the Connecticut General Statutes.

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(b) Upon receipt of the responses, the Office shall have thirty days to review the responses and make a determination with respect to whether the application is complete or if further information is needed. If additional information is sought, the applicant shall have another sixty days to respond. If the applicant fails to respond within the sixty day time frame, the application shall be deemed withdrawn in accordance with section 19a-639a of the Connecticut General Statutes.

(c) The review cycle described above shall continue until the Office deems an application complete.

(Effective April 9, 2013)

**Sec. 19a-639a-5. Certificate of need review period**

(a) Pursuant to section 19a-639a of the Connecticut General Statutes, the ninety day review period for a completed application shall begin on the date the Office posts notice of the completed application on its website. No later than seven days after the thirty day review period for completeness has expired, the Office shall post notice of the completed application on its website. The Office shall also provide notice to the applicant that its application is complete via first class mail, facsimile or electronic mail and this notice shall include the date on which the ninety day review period expires. The posting on the Office website shall serve as notice to any interested members of the public.

(b) Extensions of the Review Period

(1) The Office may extend the review period for good cause for a total of sixty days in accordance with section 19a-639a of the Connecticut General Statutes. If the Office extends the review period, the Office shall provide notice to the applicant that review has been extended via first class mail, facsimile or electronic mail and this notice shall include the date on which the review period expires.

(2) Where a public hearing is held pursuant to section 19a-639a of the Connecticut General Statutes, the review period shall be extended for another sixty days after the date on which the public hearing record is closed. The Office shall notify the applicant of the date on which the public hearing record is closed via first class mail, facsimile or electronic mail and this notice shall include the date on which the review period expires.

(Effective April 9, 2013)

**Sec. 19a-639a-6. Notice of public hearing**

The Office shall provide notice of the date, time and place of the public hearing in a newspaper having substantial circulation in the town in which the project is to be located not less than two weeks prior to the date of the hearing pursuant to section 19a-639a of the Connecticut General Statutes. The Office shall also provide a copy of the notice via first class mail, facsimile or electronic mail to the applicant and any individuals or entities that have requested a hearing pursuant to section 19a-639a of the Connecticut General Statutes. Additionally, the Office shall post the notice of public hearing on its website.

(Effective April 9, 2013)