

CERTIFICATE OF NEED PROGRAM

Iowa Department of Inspections, Appeals, & Licensing

General Instructions for Certificate of Need Application Submission

General Instructions

PLEASE READ PRIOR TO COMPLETING AN APPLICATION

1. Prior to completing an application, review Iowa Code Sections 135.61-135.83 and 641 Iowa Administrative Code (IAC) chapters 202 and 203. These materials will provide information about Certificate of Need (“CON”) and the application process. These documents can be found on the Iowa CON web page.
2. If the reviewability of a project is in question a Reviewability Determination may be requested prior to the submission of an application. See 641 IAC 202.3 for more information and/or contact CON staff at 515-218-4969.
3. As set forth in Iowa Code section 135.65, the sponsor of a proposed new or changed institutional health service shall submit a Letter of Intent not less than 30 days prior to submitting the CON application. Letters of Intent expire one year from the date they are received by the Iowa Department of Inspections, Appeals & Licensing. CON staff will issue a letter of response to the Letter of Intent. There will be additional directions in the response to the Letter of Intent. **Read this response carefully and keep it for future reference.**
3. **PLEASE NOTE:** The Department of Inspections, Appeals & Licensing (“DIAL”) Health and Safety Division reviews and approves all nursing facility and hospital bed increases prior to issuing a new or amended license. Notification to DIAL is highly recommended if you are submitting a CON application for a facility that will have a bed increase. Contact Geri Paul at geri.paul@dia.iowa.gov (nursing facility) or Hema Lindstrom at hema.lindstrom@dia.iowa.gov (hospital) for more information. *Please note that as of July 1, 2023, there is a moratorium on new nursing facility beds until at least June 30, 2024.*
4. Please read and follow, as necessary, the Guidelines for Affected Parties.
5. There are different application forms depending on the type of CON project. Please select the most applicable application. Not all items on each application will relate to a specific project. If you have questions about the CON process, which application to use or the applicability of any item on your project, contact CON program staff at 515-218-4969.
6. The applicant shall be the entity to whom the nontransferable CON will be issued.
7. An application will not be accepted if the information contained in the application materially differs from the information provided in the Letter of Intent (i.e., facility name; sponsor; capital expenditure; and location, including county).
8. The applicant shall answer all questions on the applicable form. If a question is not relevant, indicate “not applicable” or N/A, and a brief explanation about why the applicant does not believe the information is required.
9. Number the pages in your application.
10. The applicant will file an electronic copy of the entire application (including any attachments) which must be received by the date/time noted in the response to the Letter of

Intent. **All applications must be received by no later than 4:00 PM on the due date.** Late applications will be subject to the next new review cycle.

11. The appropriate CON filing fee, as set forth in Iowa Code section 135.63 and as noted in the response to the Letter of Intent must be paid concurrently with the filing of the CON application. Make checks payable to: **Treasurer, State of Iowa**. PLEASE NOTE: ICF/ID's and ICF/PMI's are exempt from the CON filing fee.
12. CON staff will review the application for completeness upon receipt. Within fifteen (15) days of acceptance, the application will be deemed complete, substantially incomplete, or a request for additional information will be issued.
13. If an application is deemed to be substantially incomplete, it will be returned for amendment and may be subject to the next new review cycle.
14. If a request for additional information is issued, responses to the questions must be made in writing and delivered electronically to rebecca.swift@dia.iowa.gov by the due date.
15. Affected party letters in support that are submitted by an applicant are due by the affected party deadline. This date is earlier than the final written submission date.
16. The applicant final submission date allows an applicant to respond to letters of opposition. PLEASE NOTE: To assist State Health Facility Council ("Council") members, exhibits (except rebuttal exhibits), must be submitted by the final written submission deadline so that they can be provided in advance to the Council.
17. An applicant may withdraw its application at any time without prejudice. Applicants must notify CON program staff in writing of such action – an email is sufficient. Application fees are subject to refund based on the schedule listed in 641 IAC 202.4(2)(d). It is the responsibility of the applicant to notify CON staff regarding to whom the refund check should be made and to where it should be sent.
18. The application, other materials in the project file and any evidence offered at hearing are considered public record and are available for public inspection, copying, and disclosure under Iowa Open Records Law – Iowa Code Chapter 22.
19. Certificate of Need related law and rules can be found on the Iowa Certificate of Need web page.