

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 5, Section
2 191.1146, Line 20, by inserting after all of said line the following:

3
4 "197.315. 1. Any person who proposes to develop or offer a new institutional health service within
5 the state must obtain a certificate of need from the committee prior to the time such services are offered.

6 2. Only those new institutional health services which are found by the committee to be needed shall
7 be granted a certificate of need. Only those new institutional health services which are granted certificates of
8 need shall be offered or developed within the state. No expenditures for new institutional health services in
9 excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has
10 been granted.

11 3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities
12 shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without
13 obtaining a certificate of need.

14 4. If any person proposes to develop any new institutional health care service without a certificate of
15 need as required by sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall
16 apply for an injunction or other appropriate legal action in any court of this state against that person.

17 5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make
18 payment of any funds to any person or health care facility which has not first obtained every certificate of
19 need required pursuant to sections 197.300 to 197.366.

20 6. A certificate of need shall be issued only for the premises and persons named in the application
21 and is not transferable except by consent of the committee.

22 7. Project cost increases, due to changes in the project application as approved or due to project
23 change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent
24 of the committee.

25 8. Periodic reports to the committee shall be required of any applicant who has been granted a
26 certificate of need until the project has been completed. The committee may order the forfeiture of the
27 certificate of need upon failure of the applicant to file any such report.

28 9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any
29 approved project within six months after the date of the order. The applicant may request an extension from
30 the committee of not more than six additional months based upon substantial expenditure made.

31 10. Each application for a certificate of need must be accompanied by an application fee. The time
32 of filing commences with the receipt of the application and the application fee. The application fee is one
33 thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater.
34 All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general
35 assembly will appropriate funds to the Missouri health facilities review committee.

36 11. In determining whether a certificate of need should be granted, no consideration shall be given to
37 the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the
38 applying facility.

39 12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may

Standing Action Taken _____ Date _____

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1 return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of
2 need.

3 13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion
4 services or information.

5 14. A certificate of need shall not be required for the transfer of ownership of an existing and
6 operational health facility in its entirety.

7 15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new
8 institutional service, or for a new hospital facility which provides for something less than that which was
9 sought in the application.

10 16. The provisions of this section shall not apply to facilities operated by the state, and
11 appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this
12 section, and such facilities shall be deemed to have received an appropriate certificate of need without
13 payment of any fee or charge. The provisions of this subsection shall not apply to hospitals operated by the
14 state and licensed under chapter 197, except for department of mental health state-operated psychiatric
15 hospitals.

16 17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1,
17 1983, for an intermediate care facility operated exclusively for the intellectually disabled.

18 18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout
19 the state, a certificate of need shall not be required for the purchase and operation of:

20 (1) Research equipment that is to be used in a clinical trial that has received written approval from a
21 duly constituted institutional review board of an accredited school of medicine or osteopathy located in
22 Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in
23 which the equipment is to be located. After the clinical trial has been completed, a certificate of need must
24 be obtained for continued use in such facility; or

25 (2) Equipment that is to be used by an academic health center operated by the state in furtherance of
26 its research or teaching missions."; and

27
28 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.