

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 16

H.P. 19

House of Representatives, January 6, 2005

An Act To Amend the Certificate of Need Process

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CARR of Lincoln.
Cosponsored by Senator ROSEN of Bucksport and
Representatives: CLOUGH of Scarborough, DUGAY of Cherryfield, LEWIN of Eliot,
NUTTING of Oakland, PINGREE of North Haven, SHERMAN of Hodgdon, TARDY of
Newport, Senator: DAVIS of Piscataquis.

Be it enacted by the People of the State of Maine as follows:

2

4 **Sec. 1. 22 MRSA §339, sub-§5**, as enacted by PL 2001, c. 664,
§2, is repealed and the following enacted in its place:

6

8 5. **Reviews.** A review must be completed and the
commissioner shall make a decision within 90 days after the
application has been certified as complete by the applicant. If
the department has not complied with this requirement, on the
91st day after certification of the application as complete the
application must be deemed to be granted and the commissioner
shall issue the certificate of need.

14

SUMMARY

16

18 This bill establishes a 90-day period for review and
20 decision on a completed certificate of need application and
provides for issuance of the certificate of need if the
Commissioner of Health and Human Services does not meet the
90-day requirement.

22