

1 ENGROSSED SENATE  
2 BILL NO. 541

By: Ellis of the Senate

3 and

4 Dank of the House

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7 An Act relating to public health and safety; amending  
8 63 O.S. 2001, Section 1-852.1, as amended by Section  
9 4, Chapter 436, O.S.L. 2004 (63 O.S. Supp. 2008,  
10 Section 1-852.1), which relates to long-term care  
11 facility certificate of need; modifying amount of  
12 application fees; providing for refund of fee; and  
13 declaring an emergency.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-852.1, as  
16 amended by Section 4, Chapter 436, O.S.L. 2004 (63 O.S. Supp. 2008,  
17 Section 1-852.1), is amended to read as follows:

18 Section 1-852.1 A. Each application for a new certificate of  
19 need applied for pursuant to the provisions of Section 1-852 of this  
20 title, except for those applications filed by state agencies, shall  
21 be accompanied by an application fee ~~equal to one percent (1%) of~~  
22 ~~the capital cost of the project, with a minimum fee of One Thousand~~  
23 ~~Dollars (\$1,000.00)~~ Three Thousand Dollars (\$3,000.00).

24 B. The maximum filing fee on an application for replacement of  
an existing facility, ~~pursuant to subsection D of Section 1-853 of~~  
~~this title,~~ shall be One Thousand Dollars (\$1,000.00).

1 C. 1. The maximum filing fee on an application for an  
2 acquisition shall be ~~Three Thousand Dollars (\$3,000.00)~~ Five  
3 Thousand Dollars (\$5,000.00).

4 2. The capital cost for acquisition shall be the current book  
5 value of the facility as shown by a recognized method or basis of  
6 accounting as attested by a Certified Public Accountant.

7 D. If an application for a certificate of need is not approved,  
8 the Department shall refund the application fee in full.

9 E. Each request for exemption from certificate of need  
10 requirements submitted under Section 1-852 of this title, except for  
11 a request filed by a state agency, shall be accompanied by a fee of  
12 One Hundred Dollars (\$100.00).

13 SECTION 2. It being immediately necessary for the preservation  
14 of the public peace, health and safety, an emergency is hereby  
15 declared to exist, by reason whereof this act shall take effect and  
16 be in full force from and after its passage and approval.

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