

THE HOUSE OF REPRESENTATIVES  
Monday, April 13, 2009

ENGROSSED

Senate Bill No. 541

ENGROSSED SENATE BILL NO. 541 - By: ELLIS of the Senate and DANK of the House.

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

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

1 SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-852.1, as amended by  
2 Section 4, Chapter 436, O.S.L. 2004 (63 O.S. Supp. 2008, Section 1-852.1), is amended to  
3 read as follows:  
4 Section 1-852.1 A. Each application for a new certificate of need applied for  
5 pursuant to the provisions of Section 1-852 of this title, except for those applications filed  
6 by state agencies, shall be accompanied by an application fee ~~equal to one percent (1%) of~~  
7 ~~the capital cost of the project, with a minimum fee of One Thousand Dollars (\$1,000.00)~~  
8 of Three Thousand Dollars (\$3,000.00).

1 B. The maximum filing fee on an application for replacement of an existing facility;  
2 ~~pursuant to subsection D of Section 1-853 of this title,~~ shall be One Thousand Dollars  
3 (\$1,000.00).

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

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

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

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
18 dated 04-09-09 - DO PASS.