

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 541

By: Ellis

6 AS INTRODUCED

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
facility certificate of need; modifying amount of
application fees; providing for refund of fee; and
declaring an emergency.

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

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

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

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

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

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

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

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

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

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