

**135.67 Summary review procedure.**

1. The department may waive the letter of intent procedures prescribed by [section 135.65](#) and substitute a summary review procedure, which shall be established by rules of the department, when it accepts an application for a certificate of need for a project which meets any of the criteria in paragraphs “a” through “e”:

a. A project which is limited to repair or replacement of a facility or equipment damaged or destroyed by a disaster, and which will not expand the facility nor increase the services provided beyond the level existing prior to the disaster.

b. A project necessary to enable the facility or service to achieve or maintain compliance with federal, state, or other appropriate licensing, certification, or safety requirements.

c. A project which will not change the existing bed capacity of the applicant’s facility or service, as determined by the department, by more than ten percent or ten beds, whichever is less, over a two-year period.

d. A project the total cost of which will not exceed one hundred fifty thousand dollars.

e. Any other project for which the applicant proposes and the department agrees to summary review.

2. The department’s decision to disallow a summary review shall be binding upon the applicant.

[C79, 81, §135.67]

[91 Acts, ch 225, §8 – 10; 2009 Acts, ch 41, §191](#)

Referred to in [§135.72](#)