

135.72 Authority to adopt rules.

The department shall adopt, with approval of the council, such administrative rules as are necessary to enable it to implement [this subchapter](#). These rules shall include:

1. Additional procedures and criteria for review of applications for certificates of need.
2. Uniform procedures for variations in application of criteria specified by [section 135.64](#) for use in formal review of applications for certificates of need, when such variations are appropriate to the purpose of a particular review or to the type of institutional health service proposed in the application being reviewed.
3. Uniform procedures for summary reviews conducted under [section 135.67](#).
4. Criteria for determining when it is not feasible to complete formal review of an application for a certificate of need within the time limits specified in [section 135.69](#). The rules adopted under [this subsection](#) shall include criteria for determining whether an application proposes introduction of technologically innovative equipment, and if so, procedures to be followed in reviewing the application. However, a rule adopted under [this subsection](#) shall not permit a deferral of more than sixty days beyond the time when a decision is required under [section 135.69](#), unless both the applicant and the department agree to a longer deferment.

[C79, 81, §135.72]

[91 Acts, ch 225, §13](#); [2019 Acts, ch 24, §104](#)

Referred to in [§135.69](#)