

**135.64 Letter of intent to precede application — review and comment.**

1. Before applying for a certificate of need, the sponsor of a proposed new institutional health service or changed institutional health service shall submit to the department a letter of intent to offer or develop a service requiring a certificate of need. The letter shall be submitted as soon as possible after initiation of the applicant's planning process, and in any case not less than thirty days before applying for a certificate of need and before substantial expenditures to offer or develop the service are made. The letter shall include a brief description of the proposed new or changed service, its location, and its estimated cost.

2. Upon request of the sponsor of the proposed new or changed service, the department shall make a preliminary review of the letter for the purpose of informing the sponsor of the project of any factors which may appear likely to result in denial of a certificate of need, based on the criteria for evaluation of applications in [section 135.63](#). A comment by the department under [this section](#) shall not constitute a final decision.

[C79, 81, §135.65]

[91 Acts, ch 225, §6](#); [97 Acts, ch 93, §9](#); [2023 Acts, ch 19, §1443](#)

[C2024, §10A.715](#)

[2025 Acts, ch 120, §40, 54](#)

[C2026, §135.64](#)

Referred to in [§135.66](#)

Section transferred from [§10A.715](#) in Code 2026 pursuant to directive in [2025 Acts, ch 120, §40](#)

Subsection 2 amended