

**135.71 Authority to adopt rules.**

The department shall adopt 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 135.63](#) 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 135.66](#).
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 135.68](#). 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 135.68](#), 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](#); [2023 Acts, ch 19, §1443, 1603](#)

[C2024, §10A.722](#)

[2025 Acts, ch 120, §36, 40, 57](#)

[C2026, §135.71](#)

Section transferred from [§10A.722](#) in Code 2026 pursuant to directive in [2025 Acts, ch 120, §40](#)

Unnumbered paragraph 1 amended

Subsections 2, 3, and 4 amended