

641—202.1(135) Definitions.

202.1(1) “Any expenditure in excess of five hundred thousand dollars” as defined in Iowa Code section 135.61(18) “e” means new capital expenditures and new personnel necessary to operate the service for a year.

202.1(2) “Any mobile health service with a value in excess of one million five hundred thousand dollars” as defined in Iowa Code section 135.61(18) “l” means the value of all equipment used to provide the service, including the trailer. The party providing the equipment shall be the applicant regardless of the location of that party.

202.1(3) “Appropriate geographic service area” as the term applies to defining affected persons in Iowa Code section 135.61(1) “c” shall be defined as follows:

a. For applications regarding hospitals, hospitals located in the same county and in Iowa counties contiguous to the county wherein the applicant hospital’s proposed project will be located.

b. For applications regarding nursing facilities, other nursing facilities located in the same county and in Iowa counties contiguous to the county wherein the applicant’s proposed nursing facility will be located.

c. For applications sponsored by other than the above-mentioned hospitals or health facilities, notice shall be sent to those providers within the same county who offer similar service or might logically be viewed as potential providers of such service.

202.1(4) “Bed capacity.”

a. Designed bed capacity means the number of beds the facility was originally designed for in architectural plans.

b. Usable bed capacity means the number of beds available for patient care excluding that portion of the “designed capacity” which cannot be used as an inpatient bed area by adding staff or movable equipment. For purposes of Iowa Code section 135.61(18) “d,” usable beds will be the bed capacity against which a permanent change is measured. Determination of the usable beds shall be made by the department as a result of the facility’s submitting a number to the department in its annual report for hospitals and related facilities. Usable beds will be categorized in the following ways:

Acute	Long-Term
Medical/surgical	Nursing care (NF)
ICU	Intermediate care/mental retardation (ICF/MR)
CCU	Skilled nursing care (SNF)
Pediatric	
Obstetric	
Psychiatric	
Rehabilitation	
Neonatal intensive care	
Substance abuse	

c. Long-term care bed capacity is defined as a facility’s licensed bed capacity.

202.1(5) “Consumer” as defined in Iowa Code section 135.61(4) shall be applicable to members of the individual’s household.

202.1(6) “Consumers served by a new institutional health service” means those consumers residing in the service area as determined by the department.

202.1(7) “Organized outpatient health facility” as defined in Iowa Code section 135.61(20) shall include, but not be limited to, the following types of facilities:

a. Community mental health centers;

b. Comprehensive outpatient rehabilitation facilities (CORFs), certified by Medicare.

202.1(8) “Organ transplantation service” as the term applies to new or changed institutional health service in Iowa Code section 135.61(18) “m”(3) means each type of organ transplant shall be considered separately.

202.1(9) “Permanent change in bed capacity” of an institutional health facility means a change which is intended to be effective for one year or more and which redistributes the beds among the categories listed in the definition of “Bed capacity.”

a. A conversion of a long-term acute care hospital or a rehabilitation hospital as defined by federal regulations to a general acute care hospital or to a different type of specialty hospital is a permanent change in bed capacity and requires a Certificate of Need.

b. A hospital which has deleted beds pursuant to Iowa Code section 135.63(2) “g” for the purpose of receiving designation as a critical access hospital may reestablish the deleted beds at a later time without obtaining a certificate of need, provided that the number of beds reestablished does not exceed the number of beds maintained prior to the deletion as reported on the bed reduction form.

202.1(10) “Private offices or clinics of individual physicians, dentists or other practitioners, or groups of practitioners, who are health care providers.” The meaning of this term as used in Iowa Code section 135.63(2) “a” shall be determined by looking at factors which include, but are not limited to:

- a.* The type of health care service delivered;
- b.* The control and supervision of medical judgment in the care of and treatment of patients;
- c.* The control and supervision of professional assistants, including nurses, physician assistants, and technicians; and
- d.* The ownership and maintenance of medical records of patients.

202.1(11) “Relocation of an institutional health facility,” as the term applies to new or changed institutional health service in Iowa Code section 135.61(18) “b,” means the replacement of a facility located in one county with a facility located in another county.

202.1(12) “Value in excess of one million five hundred thousand dollars” as used in Iowa Code section 135.61(18) “g,” “h,” “i” and “j” means the value of the equipment including any applicable sales tax, delivery charge and installation charge.

202.1(13) “Long-term (acute) care hospital,” for purposes of these rules, means a hospital that has been approved to participate in the Title XVIII (Medicare) program as a long-term care hospital-prospective payment system hospital (LTCH-PPS) in accordance with 42 CFR Part 412.

202.1(14) “Rehabilitation hospital,” for the purposes of these rules, means a hospital that has been approved to participate in the Title XVIII (Medicare) program as an inpatient rehabilitation facility-prospective payment system hospital (IRF-PPS) in accordance with 42 CFR Part 412.23(b), 412.25 or 412.29.