

641—202.11(10A) Finality. The certificate of need application process is continuous beginning with submission of a letter of intent or request for waiver of a letter of intent through issuance of a final decision by the council subject to judicial review under Iowa Code chapter 17A.

202.11(1) The following stages of the process are intermediate and subject to judicial review only to the extent they meet criteria for intermediate review under Iowa Code section 17A.19:

- a.* A decision by the department pursuant to 641—202.3(10A) that a proposed project does not require a certificate of need;
- b.* A decision by the department to waive submission of the letter of intent and substitute summary review; and
- c.* The rejection of an application by the department that fails to provide all information required under Iowa Code section 10A.713(1).

202.11(2) The following stages of the process are final decisions subject to judicial review as final agency action under Iowa Code section 17A.19:

- a.* A decision by the department to disallow summary review;
- b.* A decision by the council that a proposed project does not require a certificate of need;
- c.* A decision by the council to approve or deny an application;
- d.* The council's final ruling on an application for rehearing; and
- e.* A decision by the council to revoke a certificate of need pursuant to 641—202.13(10A).

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