441—123.6(135) Extension of review time.

123.6(1) A formal review of an application for a certificate of need pursuant to Iowa Code section 135.65 may be extended by the department on the basis of any of the following criteria:

a. In order to review competing applications simultaneously;

b. In the case of technologically innovative equipment, to obtain additional information necessary to evaluate the proposal. The department will specify in writing such additional information as necessary;

c. At the request of an applicant;

d. At the request of the department in order to allow additional time for deliberation on all evidence present. The department will specify the time of the delay and the date on which the final decision will be rendered.

123.6(2) An extension by the department made pursuant to subrule 123.6(1) will in no case be more than 30 calendar days beyond the time a decision is required under Iowa Code section 135.68 unless the applicant and the department agree.

123.6(3) Where none of the provisions of subrule 123.7(1) are applicable and where an application will be automatically denied because of the expiration of time required by Iowa Code section 135.68 for the issuance of a written decision by the department, the department will notify the applicant of the likelihood of an automatic denial and will ask the applicant to request in writing an extension of the review time.

[**ARC 0320D**, IAB 5/27/26, effective 7/1/26; **ARC 0769D**, IAB 11/25/26, effective 1/1/27]