

Senate Study Bill 3105 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON EDLER)

A BILL FOR

1 An Act relating to the application of the certificate of need
2 process only to nursing facilities.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 135.61, subsection 1, paragraphs c and d,
2 Code 2022, are amended to read as follows:

3 c. Each ~~institutional health~~ nursing facility ~~or~~
4 ~~health maintenance organization~~ which is located in the
5 geographic area which would appropriately be served by the
6 new institutional health service proposed in the application.
7 The appropriate geographic service area of each ~~institutional~~
8 ~~health~~ nursing facility ~~or health maintenance organization~~
9 shall be determined on a uniform basis in accordance with
10 criteria established in rules adopted by the department.

11 d. Each ~~institutional health~~ nursing facility ~~or health~~
12 ~~maintenance organization~~ which, prior to receipt of the
13 application by the department, has formally indicated to the
14 department pursuant to [this subchapter](#) an intent to furnish in
15 the future institutional health services similar to the new
16 institutional health service proposed in the application.

17 Sec. 2. Section 135.61, subsections 3, 15, 18, and 19, Code
18 2022, are amended to read as follows:

19 3. "Consumer" means any individual whose occupation is other
20 than health services, who has no fiduciary obligation to an
21 ~~institutional health~~ a nursing facility, ~~health maintenance~~
22 ~~organization or other facility~~ or other entity primarily
23 engaged in delivery of services provided by persons in health
24 service occupations, and who has no material financial interest
25 in the providing of any health services.

26 15. "Institutional health service" means any health service
27 furnished in or through ~~institutional health~~ nursing facilities
28 ~~or health maintenance organizations~~, including mobile health
29 services.

30 18. "New institutional health service" or "changed
31 *institutional health service*" means any of the following:

32 a. The construction, development or other establishment
33 of a new ~~institutional health~~ nursing facility regardless of
34 ownership.

35 b. Relocation of an ~~institutional health~~ a nursing facility.

1 *c.* Any capital expenditure, lease, or donation by or
2 on behalf of ~~an institutional health~~ a nursing facility in
3 excess of one million five hundred thousand dollars within a
4 twelve-month period.

5 *d.* A permanent change in the bed capacity, as determined by
6 the department, of ~~an institutional health~~ a nursing facility.
7 For purposes of this paragraph, a change is permanent if it is
8 intended to be effective for one year or more.

9 *e.* Any expenditure in excess of five hundred thousand
10 dollars by or on behalf of ~~an institutional health~~ a nursing
11 facility for health services which are or will be offered in
12 or through ~~an institutional health~~ a nursing facility at a
13 specific time but which were not offered on a regular basis in
14 or through that ~~institutional health~~ nursing facility within
15 the twelve-month period prior to that time.

16 *f.* The deletion of one or more health services, previously
17 offered on a regular basis by ~~an institutional health~~ a nursing
18 facility ~~or health maintenance organization~~ or the relocation
19 of one or more health services from one physical facility to
20 another.

21 ~~*g.* Any acquisition by or on behalf of a health care provider~~
22 ~~or a group of health care providers of any piece of replacement~~
23 ~~equipment with a value in excess of one million five hundred~~
24 ~~thousand dollars, whether acquired by purchase, lease, or~~
25 ~~donation.~~

26 ~~*h.* Any acquisition by or on behalf of a health care provider~~
27 ~~or group of health care providers of any piece of equipment~~
28 ~~with a value in excess of one million five hundred thousand~~
29 ~~dollars, whether acquired by purchase, lease, or donation,~~
30 ~~which results in the offering or development of a health~~
31 ~~service not previously provided. A mobile service provided~~
32 ~~on a contract basis is not considered to have been previously~~
33 ~~provided by a health care provider or group of health care~~
34 ~~providers.~~

35 ~~*i.* g. Any acquisition by or on behalf of an institutional~~

1 ~~health a nursing facility or a health maintenance organization~~
2 of any piece of replacement equipment with a value in excess of
3 one million five hundred thousand dollars, whether acquired by
4 purchase, lease, or donation.

5 ~~f. h.~~ Any acquisition by or on behalf of ~~an institutional~~
6 ~~health a nursing facility or health maintenance organization~~
7 of any piece of equipment with a value in excess of one
8 million five hundred thousand dollars, whether acquired by
9 purchase, lease, or donation, which results in the offering or
10 development of a health service not previously provided. A
11 mobile service provided on a contract basis is not considered
12 to have been previously provided by ~~an institutional health a~~
13 nursing facility.

14 ~~k.~~ ~~Any air transportation service for transportation of~~
15 ~~patients or medical personnel offered through an institutional~~
16 ~~health facility at a specific time but which was not offered~~
17 ~~on a regular basis in or through that institutional health~~
18 ~~facility within the twelve month period prior to the specific~~
19 ~~time.~~

20 ~~l. i.~~ Any mobile health service with a value in excess of
21 one million five hundred thousand dollars.

22 ~~m.~~ Any of the following:

23 ~~(1) Cardiac catheterization service.~~

24 ~~(2) Open heart surgical service.~~

25 ~~(3) Organ transplantation service.~~

26 ~~(4) Radiation therapy service applying ionizing radiation~~
27 ~~for the treatment of malignant disease using megavoltage~~
28 ~~external beam equipment.~~

29 19. "Offer", when used in connection with health services,
30 means that ~~an institutional health a nursing facility, health~~
31 ~~maintenance organization, health care provider, or group of~~
32 ~~health care providers~~ holds itself out as capable of providing,
33 or as having the means to provide, specified health services.

34 Sec. 3. Section 135.61, Code 2022, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 18A. "*Nursing facility*" means the same as
2 defined in section 135C.1.

3 Sec. 4. Section 135.61, subsections 2, 14, 20, 21, and 22,
4 Code 2022, are amended by striking the subsections.

5 Sec. 5. Section 135.62, subsection 2, paragraph a,
6 subparagraph (2), Code 2022, is amended to read as follows:

7 (2) Serve as a member of any board or other policymaking or
8 advisory body of ~~an institutional health~~ a nursing facility,
9 a health maintenance organization, or any health or hospital
10 insurer.

11 Sec. 6. Section 135.63, Code 2022, is amended to read as
12 follows:

13 **135.63 Certificate of need required — exclusions.**

14 1. A new institutional health service or changed
15 institutional health service shall not be offered or developed
16 in this state without prior application to the department
17 for and receipt of a certificate of need, pursuant to
18 this subchapter. The application shall be made upon forms
19 furnished or prescribed by the department and shall contain
20 such information as the department may require under this
21 subchapter. The application shall be accompanied by a fee
22 equivalent to three-tenths of one percent of the anticipated
23 cost of the project with a minimum fee of six hundred dollars
24 and a maximum fee of twenty-one thousand dollars. The fee
25 shall be remitted by the department to the treasurer of
26 state, who shall place it in the general fund of the state.
27 If an application is voluntarily withdrawn within thirty
28 calendar days after submission, seventy-five percent of the
29 application fee shall be refunded; if the application is
30 voluntarily withdrawn more than thirty but within sixty days
31 after submission, fifty percent of the application fee shall
32 be refunded; if the application is withdrawn voluntarily more
33 than sixty days after submission, twenty-five percent of
34 the application fee shall be refunded. ~~Notwithstanding the~~
35 ~~required payment of an application fee under~~ this subsection,

1 ~~an applicant for a new institutional health service or a~~
2 ~~changed institutional health service offered or developed by~~
3 ~~an intermediate care facility for persons with an intellectual~~
4 ~~disability or an intermediate care facility for persons with~~
5 ~~mental illness as defined pursuant to [section 135C.1](#) is exempt~~
6 ~~from payment of the application fee.~~

7 2. [This subchapter](#) shall not be construed to augment, limit,
8 contravene, or repeal in any manner any other statute of this
9 state which may authorize or relate to licensure, regulation,
10 supervision, or control of, nor to be applicable to:

11 ~~a. Private offices and private clinics of an individual~~
12 ~~physician, dentist, or other practitioner or group of~~
13 ~~health care providers, except as provided by section 135.61,~~
14 ~~subsection 18, paragraphs "g", "h", and "m", and section 135.61,~~
15 ~~subsections 20 and 21.~~

16 ~~b. Dispensaries and first aid stations, located within~~
17 ~~schools, businesses, or industrial establishments, which are~~
18 ~~maintained solely for the use of students or employees of those~~
19 ~~establishments and which do not contain inpatient or resident~~
20 ~~beds that are customarily occupied by the same individual for~~
21 ~~more than twenty-four consecutive hours.~~

22 ~~c. Establishments such as motels, hotels, and boarding~~
23 ~~houses which provide medical, nursing personnel, and other~~
24 ~~health related services as an incident to their primary~~
25 ~~business or function.~~

26 ~~d. b. The remedial care or treatment of residents,~~
27 ~~consumers, or patients in any home or institution conducted~~
28 ~~only for those who rely solely upon treatment by prayer or~~
29 ~~spiritual means in accordance with the creed or tenets of any~~
30 ~~recognized church or religious denomination.~~

31 ~~e. c. A health maintenance organization or combination of~~
32 ~~health maintenance organizations or an institutional health a~~
33 ~~nursing facility controlled directly or indirectly by a health~~
34 ~~maintenance organization or combination of health maintenance~~
35 ~~organizations, except when the health maintenance organization~~

1 or combination of health maintenance organizations ~~does any of~~
2 ~~the following:~~

3 ~~(1) Constructs, constructs, develops, renovates, relocates,~~
4 or otherwise establishes an ~~institutional health~~ a nursing
5 facility.

6 ~~(2) Acquires major medical equipment as provided by section~~
7 ~~135.61, subsection 18, paragraphs "i" and "j".~~

8 ~~f. A residential care facility, as defined in section~~
9 ~~135C.1, including a residential care facility for persons with~~
10 ~~an intellectual disability, notwithstanding any provision in~~
11 ~~this subchapter to the contrary.~~

12 ~~g. d.~~ (1) A reduction in bed capacity of an ~~institutional~~
13 ~~health a nursing~~ facility, notwithstanding any provision in
14 this subchapter to the contrary, if all of the following
15 conditions exist:

16 (a) The ~~institutional health~~ nursing facility reports to
17 the department the number and type of beds reduced on a form
18 prescribed by the department at least thirty days before the
19 reduction. ~~In the case of a health care facility, the~~ The
20 new bed total must be consistent with the number of licensed
21 beds at the facility. ~~In the case of a hospital, the number~~
22 ~~of beds must be consistent with bed totals reported to the~~
23 ~~department of inspections and appeals for purposes of licensure~~
24 ~~and certification.~~

25 (b) The ~~institutional health~~ nursing facility reports the
26 new bed total on its next annual report to the department.

27 (2) If these conditions are not met, the ~~institutional~~
28 ~~health nursing~~ facility is subject to review as a "new
29 institutional health service" or "changed institutional
30 health service" under ~~section 135.61, subsection 18, paragraph~~
31 ~~"d",~~ and subject to sanctions under section 135.73. If the
32 ~~institutional health nursing~~ facility reestablishes the deleted
33 beds at a later time, review as a "new institutional health
34 service" or "changed institutional health service" is required
35 pursuant to ~~section 135.61, subsection 18, paragraph "d"~~.

1 ~~h. e.~~ (1) The deletion of one or more health services,
2 previously offered on a regular basis by an ~~institutional~~
3 ~~health a nursing facility or health maintenance organization,~~
4 notwithstanding any provision of ~~this subchapter~~ to the
5 contrary, if all of the following conditions exist:

6 (a) The ~~institutional health nursing facility or health~~
7 ~~maintenance organization~~ reports to the department the deletion
8 of the service or services at least thirty days before the
9 deletion on a form prescribed by the department.

10 (b) The ~~institutional health nursing facility or health~~
11 ~~maintenance organization~~ reports the deletion of the service or
12 services on its next annual report to the department.

13 (2) If these conditions are not met, the ~~institutional~~
14 ~~health nursing facility or health maintenance organization~~ is
15 subject to review as a "new institutional health service" or
16 "changed institutional health service" ~~under section 135.61,~~
17 ~~subsection 18, paragraph "f",~~ and subject to sanctions under
18 section 135.73.

19 (3) If the ~~institutional health nursing facility or health~~
20 ~~maintenance organization~~ reestablishes the deleted service
21 or services at a later time, review as a "new institutional
22 health service" or "changed institutional health service" may
23 be required pursuant to ~~section 135.61, subsection 18.~~

24 ~~i.~~ A residential program exempt from licensing as a health
25 care facility under ~~chapter 135C~~ in accordance with section
26 ~~135C.6, subsection 8.~~

27 ~~j. f.~~ The construction, modification, or replacement
28 of nonpatient care services, including parking facilities,
29 heating, ventilation and air conditioning systems, computers,
30 telephone systems, ~~medical office buildings,~~ and other projects
31 of a similar nature, notwithstanding any provision in this
32 subchapter to the contrary.

33 ~~k.~~ (1) ~~The redistribution of beds by a hospital within the~~
34 ~~acute care category of bed usage, notwithstanding any provision~~
35 ~~in this subchapter~~ to the contrary, if all of the following

1 ~~conditions exist:~~

2 ~~(a) The hospital reports to the department the number and~~
3 ~~type of beds to be redistributed on a form prescribed by the~~
4 ~~department at least thirty days before the redistribution.~~

5 ~~(b) The hospital reports the new distribution of beds on its~~
6 ~~next annual report to the department.~~

7 ~~(2) If these conditions are not met, the redistribution~~
8 ~~of beds by the hospital is subject to review as a new~~
9 ~~institutional health service or changed institutional health~~
10 ~~service pursuant to [section 135.61, subsection 18](#), paragraph~~
11 ~~"d", and is subject to sanctions under [section 135.73](#).~~

12 ~~i. g.~~ The replacement or modernization of any institutional
13 health nursing facility if the replacement or modernization
14 does not add new health services or additional bed capacity
15 for existing health services, notwithstanding any provision in
16 this subchapter to the contrary. ~~With respect to a nursing~~
17 ~~facility, "replacement" means establishing a, and the new~~
18 nursing facility is established within the same county as the
19 prior nursing facility to be closed. ~~With reference to a~~
20 ~~hospital, "replacement" means establishing a new hospital that~~
21 ~~demonstrates compliance with all of the following criteria~~
22 ~~through evidence submitted to the department:~~

23 ~~(1) Is designated as a critical access hospital pursuant to~~
24 ~~42 U.S.C. §1395i-4.~~

25 ~~(2) Serves at least seventy-five percent of the same service~~
26 ~~area that was served by the prior hospital to be closed and~~
27 ~~replaced by the new hospital.~~

28 ~~(3) Provides at least seventy-five percent of the same~~
29 ~~services that were provided by the prior hospital to be closed~~
30 ~~and replaced by the new hospital.~~

31 ~~(4) Is staffed by at least seventy-five percent of the~~
32 ~~same staff, including medical staff, contracted staff, and~~
33 ~~employees, as constituted the staff of the prior hospital to be~~
34 ~~closed and replaced by the new hospital.~~

35 ~~m. Hemodialysis services provided by a hospital or~~

1 ~~freestanding facility, notwithstanding any provision in this~~
2 ~~subchapter to the contrary.~~

3 ~~n. Hospice services provided by a hospital, notwithstanding~~
4 ~~any provision in this subchapter to the contrary.~~

5 ~~e. h.~~ The change in ownership, licensure, or organizational
6 structure, ~~or designation of the type of institutional health~~
7 a nursing facility if the health services offered by the
8 successor institutional health nursing facility are unchanged.
9 This exclusion is applicable only if the institutional
10 health nursing facility consents to the change in ownership,
11 licensure, or organizational structure, ~~or designation of~~
12 ~~the type of institutional health~~ the nursing facility and
13 ceases offering the health services simultaneously with the
14 initiation of the offering of health services by the successor
15 institutional health nursing facility.

16 ~~p.~~ The conversion of an existing number of beds by an
17 intermediate care facility for persons with an intellectual
18 disability to a smaller facility environment, including but not
19 limited to a community-based environment which does not result
20 in an increased number of beds, notwithstanding any provision
21 in this subchapter to the contrary, including subsection 4, if
22 all of the following conditions exist:

23 (1) ~~The intermediate care facility for persons with an~~
24 ~~intellectual disability reports the number and type of beds to~~
25 ~~be converted on a form prescribed by the department at least~~
26 ~~thirty days before the conversion.~~

27 (2) ~~The intermediate care facility for persons with an~~
28 ~~intellectual disability reports the conversion of beds on its~~
29 ~~next annual report to the department.~~

30 3. This subchapter shall not be construed to be applicable
31 to a health care facility operated by and for the exclusive use
32 of members of a religious order, which does not admit more than
33 two individuals to the facility from the general public, and
34 which was in operation prior to July 1, 1986. However, this
35 subchapter is applicable to such a facility if the facility

1 is involved in the offering or developing of a new or changed
2 institutional health service on or after July 1, 1986, through
3 June 30, 2022.

4 4. A copy of the application shall be sent to the department
5 of human services at the time the application is submitted to
6 the Iowa department of public health. ~~The department shall not~~
7 ~~process applications for and the council shall not consider a~~
8 ~~new or changed institutional health service for an intermediate~~
9 ~~care facility for persons with an intellectual disability~~
10 ~~unless both of the following conditions are met:~~

11 ~~a. The new or changed beds shall not result in an~~
12 ~~increase in the total number of medical assistance certified~~
13 ~~intermediate care facility beds for persons with an~~
14 ~~intellectual disability in the state, exclusive of those beds~~
15 ~~at the state resource centers or other state institutions,~~
16 ~~beyond one thousand six hundred thirty-six beds.~~

17 ~~b. A letter of support for the application is provided by~~
18 ~~the county board of supervisors, or the board's designee, in~~
19 ~~the county in which the beds would be located.~~

20 Sec. 7. Section 135.64, subsection 1, paragraphs o and q,
21 Code 2022, are amended to read as follows:

22 o. The impact of relocation of an institutional health a
23 nursing facility ~~or health maintenance organization~~ on other
24 ~~institutional health~~ nursing facilities ~~or health maintenance~~
25 ~~organizations~~ and on the needs of the population to be served,
26 or which was previously served, or both.

27 q. In the case of a proposal for the addition of beds
28 to a ~~health care~~ nursing facility, the consistency of the
29 proposed addition with the plans of other agencies of this
30 state responsible for provision and financing of long-term care
31 services, including home health services.

32 Sec. 8. Section 135.64, subsection 1, paragraphs m and n,
33 Code 2022, are amended by striking the paragraphs.

34 Sec. 9. Section 135.64, subsection 2, Code 2022, is amended
35 to read as follows:

1 2. In addition to the findings required with respect to
2 any of the criteria listed in subsection 1 of this section,
3 the council shall grant a certificate of need for a new
4 institutional health service or changed institutional health
5 service only if it finds in writing, on the basis of data
6 submitted to it by the department, that all of the following
7 conditions are met:

8 *a.* Less costly, more efficient, or more appropriate
9 alternatives to the proposed institutional health service are
10 not available and the development of such alternatives is not
11 practicable~~†~~.

12 *b.* Any existing facilities providing institutional health
13 services similar to those proposed are being used in an
14 appropriate and efficient manner~~†~~.

15 *c.* In the case of new construction, alternatives including
16 but not limited to modernization or sharing arrangements have
17 been considered and have been implemented to the maximum extent
18 practicable~~†~~.

19 *d.* Patients or consumers will experience serious problems
20 in obtaining care of the type which will be furnished by
21 the proposed new institutional health service or changed
22 institutional health service, in the absence of that proposed
23 new service.

24 Sec. 10. Section 135.64, subsection 3, Code 2022, is amended
25 by striking the subsection.

26 Sec. 11. Section 135.67, subsection 1, paragraphs a, b, and
27 c, Code 2022, are amended to read as follows:

28 *a.* A project which is limited to repair or replacement
29 of a nursing facility or equipment damaged or destroyed by a
30 disaster, and which will not expand the nursing facility nor
31 increase the services provided beyond the level existing prior
32 to the disaster.

33 *b.* A project necessary to enable the nursing facility
34 or service to achieve or maintain compliance with federal,
35 state, or other appropriate licensing, certification, or safety

1 requirements.

2 c. A project which will not change the existing bed capacity
3 of the applicant's nursing facility or service, as determined
4 by the department, by more than ten percent or ten beds,
5 whichever is less, over a two-year period.

6 Sec. 12. Section 135.73, subsection 1, Code 2022, is amended
7 to read as follows:

8 1. Any party constructing a new ~~institutional health~~
9 nursing facility or an addition to or renovation of an existing
10 ~~institutional health nursing facility~~ without first obtaining
11 a certificate of need or, in the case of a mobile health
12 service, ascertaining that the mobile health service has
13 received certificate of need approval, as required by this
14 subchapter, shall be denied licensure or change of licensure by
15 the appropriate responsible licensing agency of this state.

16 Sec. 13. Section 135.131, subsection 1, paragraph a, Code
17 2022, is amended to read as follows:

18 a. "*Birth center*" means ~~birth center as defined in section~~
19 ~~135.61~~ a facility or institution, which is not an ambulatory
20 surgical center or a hospital or in a hospital, in which
21 births are planned to occur following a normal, uncomplicated,
22 low-risk pregnancy.

23 Sec. 14. Section 135H.6, subsection 1, paragraph d, Code
24 2022, is amended by striking the paragraph.

25 Sec. 15. Section 135H.6, subsections 3, 4, and 5, Code 2022,
26 are amended to read as follows:

27 3. In addition to the beds authorized under [subsection 2](#),
28 the department of human services may establish not more than
29 thirty beds licensed under [this chapter](#) at the state mental
30 health institute at Independence. ~~The beds shall be exempt~~
31 ~~from the certificate of need requirement under [subsection 1](#),~~
32 ~~paragraph "d".~~

33 4. The department of human services may give approval to
34 conversion of beds approved under [subsection 2](#), to beds which
35 are specialized to provide substance abuse treatment. However,

1 the total number of beds approved under subsection 2 and this
2 subsection shall not exceed four hundred thirty. Conversion
3 of beds under ~~this subsection~~ shall not require a revision of
4 the certificate of need issued for the psychiatric institution
5 making the conversion. Beds for children who do not reside
6 in this state and whose service costs are not paid by public
7 funds in this state are not subject to the limitations on the
8 number of beds and certificate of need requirements otherwise
9 applicable under this section.

10 5. A psychiatric institution licensed prior to July 1, 1999,
11 may exceed the number of beds authorized under subsection 2
12 if the excess beds are used to provide services funded from a
13 source other than the medical assistance program under chapter
14 249A. ~~Notwithstanding subsection 1, paragraphs "d" and "e",~~
15 ~~and subsection 2, the provision of services using those excess~~
16 ~~beds does not require a certificate of need or a review by the~~
17 ~~department of human services.~~

18 Sec. 16. Section 135P.1, subsection 3, Code 2022, is amended
19 to read as follows:

20 3. "Health facility" means ~~an institutional~~ a hospital, a
21 health care facility as defined in section 135.61, an organized
22 outpatient health facility, an outpatient surgical facility,
23 a community mental health facility, a birth center as defined
24 in section 135.131, a hospice licensed under chapter 135J, a
25 home health agency as defined in section 144D.1, an assisted
26 living program certified under chapter 231C, a clinic, a
27 community health center, or the university of Iowa hospitals
28 and clinics, and includes any corporation, professional
29 corporation, partnership, limited liability company, limited
30 liability partnership, or other entity comprised of such health
31 facilities.

32 Sec. 17. Section 231C.3, subsection 2, Code 2022, is amended
33 to read as follows:

34 2. Each assisted living program operating in this state
35 shall be certified by the department. If an assisted living

1 program is voluntarily accredited by a recognized accrediting
2 entity, the department shall certify the assisted living
3 program on the basis of the voluntary accreditation. An
4 assisted living program that is certified by the department on
5 the basis of voluntary accreditation shall not be subject to
6 payment of the certification fee prescribed in [section 231C.18](#),
7 but shall be subject to an administrative fee as prescribed by
8 rule. ~~An assisted living program certified under this section
9 is exempt from the requirements of [section 135.63](#) relating to
10 certificate of need requirements.~~

11 Sec. 18. REPEAL. Section 135B.5A, Code 2022, is repealed.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill relates to the certificate of need process.
16 The bill eliminates the application of certificate of need
17 requirements to any other institutional health facility or
18 other entity that furnishes new or changed institutional health
19 services with the exception of nursing facilities. The bill
20 amends the definition of "new institutional health service"
21 or "changed institutional health service" to retain services
22 applicable to a nursing facility and eliminates definitions and
23 other provisions no longer necessary to the certificate of need
24 provisions. The bill also makes conforming changes throughout
25 the Code.