



Division of Quality Assurance CON Announcement 2014-A

October 24, 2014

Subject: Comment period regarding applications.

Summary: The Director shall consider written comments submitted by an affected person that are received by *the forty-fifth day after a Certificate of Need (CON) application is submitted* to the Director. This new process is in effect for all CON applications filed on or after September 15, 2014.

Discussion: Effective September 15, 2014, Amended Substitute House Bill No. 483 changed provisions in §3702.52 of the Revised Code relating to the timeline for submission of written comments to a CON application. Under §3702.52(C)(3), to be considered by the Director written comments submitted by an affected person must be received by the forty-fifth day after the application is submitted to the Director regardless of whether the application is subject to comparative review or not.

Previously, comments had to be received by the thirtieth day after mailing of the notice of completeness or, in the case of applications under comparative review, by the thirtieth day after the last notice of completeness was mailed.

The new law will allow the Director to take into consideration comments received from affected persons during the review process instead of at the end of the review process when the application has already been deemed complete. It will also offer the opportunity for the applicant to respond to issues raised during the question and answer period of review.

Although Ohio Administrative rules continue to note the prior comment period, the CON Program will abide by the changes set forth in the law. We are currently in the process of revising the Chapter 12 CON rules and will be offering the opportunity to provide input into revisions.

A blue ink handwritten signature, appearing to read 'G. Glass', written over a horizontal line.

Greg C. Glass
Program Administrator
Health Services Policy