

LEGISLATIVE BILL 9

Approved by the Governor February 6, 1993

Introduced by Executive Board: Warner, 25, Chairperson

AN ACT relating to the Nebraska Health Care Certificate of Need Act; to amend section 71-5849, Reissue Revised Statutes of Nebraska, 1943, and section 71-5801, Revised Statutes Supplement, 1992; to eliminate a reference to a statute repealed in 1980; to eliminate a provision relating to applications received prior to September 1, 1979; to harmonize provisions; and to repeal the original sections, and also section 71-5872, Reissue Revised Statutes of Nebraska, 1943.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-5801, Revised Statutes Supplement, 1992, be amended to read as follows:

71-5801. Sections 71-5801 to ~~71-5872~~ 71-5870 shall be known and may be cited as the Nebraska Health Care Certificate of Need Act.

Sec. 2. That section 71-5849, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-5849. The certificate of need shall be valid only for a project as approved. The department shall establish rules and regulations for adjusting the approved expenditures for contingencies and inflation. A new review may be required if a project exceeds the maximum capital expenditure approved by the department or otherwise departs from the project as approved, but changes only in minor details shall not be considered departures from the approved project. The department shall establish rules and regulations to require reporting of costs upon completion of construction or development of approved projects. If the applicant proceeds to develop a project which departs from the application as approved, the sanctions in sections 71-5868 to ~~71-5871~~ 71-5870 shall apply.

Sec. 3. That original section 71-5849, Reissue Revised Statutes of Nebraska, 1943, and section 71-5801, Revised Statutes Supplement, 1992, and also section 71-5872, Reissue Revised Statutes of Nebraska, 1943, are repealed.