

## DIVISION 585

### GENERAL CRITERIA FOR DEMONSTRATION OF NEED IN CERTIFICATE OF NEED APPLICATIONS

#### General Criteria for Demonstration of Need in Certificate of Need Applications

**333-585-0000** The applicant is responsible for providing information to the Health Division to adequately demonstrate that the applicant's proposal satisfies criteria specified in applicable rules: (1) General criteria, application instructions and forms are contained in Division 580 of this chapter. As part of meeting these criteria and requirements for a particular health service, the applicant must provide an analysis using the applicable methodology for demonstration of need for that service as adopted by the division elsewhere in this chapter.

(2) In the event that an applicant, at the time of filing a letter of intent, is proposing a service for which the division has not adopted, as rule, a methodology for demonstration of need; or for which the adopted methodology may appear to require modification or clarification; the applicant may request, or the division or the applicant may initiate, rulemaking procedures under the state Administrative Procedure Act. In such circumstances, the division will make reasonable efforts to complete rulemaking procedures prior to the first possible filing date for the proposed application under this chapter, based on the letter of intent and other information received. However, the actual application may raise unanticipated issues necessitating additional rulemaking procedures prior to written findings and decision by the division.

Stat. Auth.: ORS 431.120(6), ORS 442.315

Stats. Implemented: ORS 431.120(6), ORS 442.315

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