

Failure by the Department to process at least 90 percent of certificate of need applications filed within the year within the timeframes stated herein shall result in immediate corrective action.

Public Notice: Invitation for Certificate of Need Applications.

See: 24 N.J.R. 4426(b); 25 N.J.R. 2596(c); 25 N.J.R. 4520(b), 25 N.J.R. 4795(e).

Amended by R.1993 d.442, effective September 7, 1993.

See: 25 N.J.R. 2171(a), 25 N.J.R. 4129(a).

Amended by R.1996 d.101, effective February 20, 1996.

See: 27 N.J.R. 4179(a), 28 N.J.R. 1228(a).

Public Notice: Invitation for Certificate of Need Applications.

See: 34 N.J.R. 2473(a).

Amended by R.2002 d.243, effective August 5, 2002.

See: 34 N.J.R. 458(a), 34 N.J.R. 2814(a).

Rewrote the section.

Public Notice: Invitation for Certificate of Need Applications.

See: 34 N.J.R. 3991(b), 4226(a).

Public Notice: Certificate of Need and Acute Care Licensure.

See: 35 N.J.R. 277(a), 277(b).

Public Notice: Invitation for Certificate of Need Applications.

See: 35 N.J.R. 1739(c).

Public Notice: Certificate of Need: Application and Review Process.

See: 35 N.J.R. 4789(c), 5444(c).

Public Notice: Cancellation of Certificate of Need.

See: 36 N.J.R. 1834(a), 1835(a), 1835(c), 1836(a), 1836(b), 2263(a), 4997(a), 5460(a), 5460(b), 5460(c), 5460(d), 5461(a).

Public Notice: Cancellation of Certificate of Need Calls.

See: 37 N.J.R. 4580(a), 4580(b).

Public Notice: Invitation for Certificate of Need Applications.

See: 38 N.J.R. 1474(a), 1773(a).

Public Notice: Cancellation of Certificate of Need Calls.

See: 38 N.J.R. 5416(a).

Public Notice: Cancellation of Certificate of Need Calls.

See: 39 N.J.R. 802(a), 802(b), 802(c), 802(d), 803(a), 803(b), 803(c), 803(d), 804(a), 804(b).

Public Notice: Cancellation of Certificate of Need Calls.

See: 40 N.J.R. 6867(b).

Public Notice: Postponement of Certificate of Need Calls.

See: 40 N.J.R. 6868(a).

Public Notice: Cancellation of Certificate of Need Calls.

See: 41 N.J.R. 1521(a), 1521(b), 4564(a).

Public Notice: Postponement of Certificate of Need Calls.

See: 41 N.J.R. 4564(b).

Public Notice: Cancellation of Certificate of Need Calls.

See: 42 N.J.R. 1254(a), 1254(b), 1254(c), 1254(d), 1254(e), 1255(a), 1255(b).

Public Notice.

See: 43 N.J.R. 65(a), 65(b), 65(c), 66(a), 209(a), 452(a), 751(a), 1608(a).

Public Notice: Cancellation of Certificate of Need Calls.

See: 45 N.J.R. 70(a), 70(b), 70(c), 954(b), 954(c), 955(a), 2507(a), 2507(b).

Public Notice: Postponement of Certificate of Need Calls.

See: 45 N.J.R. 70(d), 2507(c).

Public Notice: Invitation for Certificate of Need Applications.

See: 46 N.J.R. 647(b).

#### Case Notes

N.J.A.C. 8:33-4.1, with its regularized schedule allowing providers to submit certificate of need applications for maternal and child health needs, provided ample basis for the determination by the Commissioner of the New Jersey Department of Health and Senior Services to accept and process a hospital's application seeking a change in classification to a regional perinatal center, even though the published call notice did not include an explicit reference to a "change in designation." In re Virtua-West Jersey Hosp. Voorhees, 194 N.J. 413, 945 A.2d 692, 2008 N.J. LEXIS 410 (2008).

Commissioner of Health failed to comply with procedural requirements in granting certificate of need. Matter of Bloomingdale Convalescent Center, 233 N.J. Super. 46, 558 A.2d 19 (A.D.1989).

Reliance on ranking of local advisory board to approve application for certificate of need with highest priority was not unreasonable. Application of Staff Builders Services, 95 N.J.A.R.2d (HLT) 30.

#### 8:33-4.2 Development of applications

(a) Application for a certificate of need shall be made to the Department, in accordance with the requirements of this chapter, and shall be in such form and contain such information as the Department may prescribe.

(b) The certificate of need application forms are available through the following methods:

1. Electronically at the Department's "Forms" webpage at <http://nj.gov/health/forms>;

2. Attached at the end of this chapter as Appendices B through E, which are incorporated herein by reference;