

SECOND REGULAR SESSION

SENATE BILL NO. 773

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS HOWARD, DePASCO, KENNEY, FLOTRON, LYBYER,
JOHNSON, STAPLES, SCOTT, WESTFALL, KLARICH, McKENNA, EHLMANN, KINDER,
YECKEL, WIGGINS, MUELLER, HOUSE, RUSSELL AND MAXWELL.

Read 1st time January 20, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3247.021

AN ACT

To repeal section 197.317, RSMo Supp. 1997, relating to certificate of need moratorium dates, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 197.317, RSMo Supp. 1997, is repealed and one new section enacted in lieu thereof, to be known as section 197.317, to read as follows:

197.317. After July 1, 1983, no certificate of need shall be issued for the following:

(1) Additional residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility beds above the number then licensed by this state;

(2) Beds in a licensed hospital to be reallocated on a temporary or permanent basis to nursing care or beds in a long-term care hospital meeting the requirements described in 42 C.F.R., section 412.23(e), excepting those which are not subject to a certificate of need pursuant to paragraphs (e) and (g) of subdivision (12) of section 197.305; nor

(3) The reallocation of intermediate care facility or skilled nursing facility beds of existing licensed beds by transfer or sale of licensed beds between a hospital licensed under this chapter or a nursing care facility licensed under chapter 198, RSMo; except for beds in counties in which there is no existing nursing care facility. No certificate of need shall be issued for the reallocation of existing residential care facility I or II, or intermediate care facilities operated exclusively for the mentally retarded to intermediate care or skilled nursing facilities or beds. However, after July 1, [1999] **2001**, nothing in this section shall prohibit the Missouri health facilities review committee from issuing a certificate of need for additional beds in existing health care facilities or for new beds in new health care facilities or for the reallocation of licensed beds, provided that no construction shall begin prior to July 1, [2000] **2002**. The provisions of subsections 16 and 17

of section 197.315 shall apply to the provisions of this section.

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