

1 AN ACT relating to certificate of need.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 216B IS CREATED TO  
4 READ AS FOLLOWS:

5 *Notwithstanding any other provision of law:*

6 *(1) A certificate of need for a health service or health facility shall be considered*  
7 *orphaned if the health service or health facility was:*

8 *(a) Discontinued at its original physical location; or*

9 *(b) Moved to a different county.*

10 *(2) If a certificate of need is considered orphaned:*

11 *(a) The continued need for the health service or health facility shall be*  
12 *presumed;*

13 *(b) An application by a new entity to establish the same type of health service or*  
14 *health facility at the same location or in the same county shall be granted a*  
15 *nonsubstantive review; and*

16 *(c) Any previous entity that was granted a certificate of need shall not be*  
17 *permitted to have any opposition to the new entity's application considered*  
18 *by the Cabinet for Health and Family Services.*