

HOUSE BILL NO. 959

4/17 Introduced
4/17 Referred to State Administration
4/18 Hearing
4/19 Committee Report-Bill Do Pass
4/20 2nd Reading Pass
4/22 3rd Reading Pass

Transmitted to Senate

Died in Process

1 HOUSE BILL NO. 959
2 INTRODUCED BY Rayson Stager
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A SECOND
5 EXTENSION OF A HEALTH CARE FACILITY CERTIFICATE OF NEED;
6 AMENDING SECTION 50-5-305, MCA; AND PROVIDING AN IMMEDIATE
7 EFFECTIVE DATE AND A TERMINATION DATE."
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 50-5-305, MCA, is amended to read:

11 "50-5-305. (Temporary) Period of validity of approved
12 application. (1) Unless an extension or a second extension
13 is granted pursuant to subsection (2), a certificate of need
14 shall expire:

15 (a) 1 year after its issuance if the applicant has not
16 commenced construction on a project requiring construction
17 or has not incurred an enforceable capital expenditure
18 commitment for a project not requiring construction;

19 (b) 1 year from the estimated time for completion as
20 shown in the application if the approved project is not
21 complete; or

22 (c) when the department determines, after opportunity
23 for a hearing, that the holder of the certificate of need
24 has violated the provisions of this chapter, rules adopted
25 hereunder, or the terms of the certificate of need.

1 (2) (a) The holder of an unexpired certificate of need
2 may apply to the department to extend the term of the
3 certificate of need for one additional period not to exceed
4 6 months.

5 (b) Upon application by a holder of a certificate of
6 need for which one 6-month extension has been granted, a
7 second extension not to exceed 6 months may be granted by
8 the department.

9 (c) The department may grant such an extension under
10 subsection (2)(a) or (2)(b) only upon the applicant's
11 demonstrating good cause as defined by department rule.

12 (3) The holder of an unexpired certificate of need
13 shall report to the department in writing on the status of
14 his project at the end of each 90-day period after being
15 granted a certificate of need until completion of the
16 project for which the certificate of need was issued.
17 (Repealed effective July 1, 1987--sec. 13, Ch. 329, L.
18 1983.)"

19 NEW SECTION. Section 2. Saving clause. This act does
20 not affect rights and duties that matured, penalties that
21 were incurred, or proceedings that were begun before the
22 effective date of this act.

23 NEW SECTION. Section 3. Effective date. This act is
24 effective on passage and approval.

25 NEW SECTION. Section 4. Termination date. (1) This



-2- INTRODUCED BILL
HB 959

LC 1968/01

1 act terminates July 1, 1985.

2 (2) The termination of this act does not affect rights
3 and duties that matured, penalties that were incurred, or
4 proceedings that were begun before the termination date of
5 this act.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

1 HOUSE BILL NO. 959
2 INTRODUCED BY Reyner Hays
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INTRODUCED BY HOUSE BILL NO. 959
Keyser Stage
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