

77038 Application Procedure for Obtaining a License

(a)

Whenever an application is submitted pursuant to Sections 77037 or 77070:

(1) The Department shall inform the applicant, within 30 calendar days of receipt of an application for a license or special permit, that the application is complete and accepted for filing, or that the application is deficient and what specific information, documentation, or fee is required to complete the application. (2) It is considered complete when all documents, information or fees required to be submitted on or with an application have been received by the Department.

(1)

The Department shall inform the applicant, within 30 calendar days of receipt of an application for a license or special permit, that the application is complete and accepted for filing, or that the application is deficient and what specific information, documentation, or fee is required to complete the application.

(2)

It is considered complete when all documents, information or fees required to be submitted on or with an application have been received by the Department.

(b)

If the applicant fails to respond within 30 calendar days to the Department's request pursuant to (a)(1) above for additional information, documentation, or fees, the application shall be deemed to have been withdrawn by the applicant.

(c)

Any applicant deemed to have withdrawn an application pursuant to subsection (b) above may re-apply by submitting a new application.

(d)

The Department, within 60 calendar days of submission of a completed application, shall notify the applicant in writing, of the agency's decision regarding the application.

(e)

If the Department fails to notify an applicant within the time period specified in (d) above, the applicant may appeal in writing directly to the Director. The written appeal shall include: (1) An identification of the applicant and the application; (2) The date upon which the application was submitted; (3) A copy of any correspondence between the Department and the applicant regarding the application; and (4) Any other information which the applicant wishes to submit regarding the timeliness of the Department's consideration of the application.

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An identification of the applicant and the application;

(2)

The date upon which the application was submitted;

(3)

A copy of any correspondence between the Department and the applicant regarding the application; and

(4)

Any other information which the applicant wishes to submit regarding the timeliness of the Department's consideration of the application.

(f)

Nothing in this section shall be construed to require the Department issue a license as a psychiatric health facility.