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Title 22@ Social Security

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Division 7@ Health Planning and Facility Construction

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Chapter 1@ Health Planning and Resources Development

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Article 11@ Review Criteria

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Section 90901@ Criteria for Determining the Desirability of Projects

90901 Criteria for Determining the Desirability of Projects

(a)

Except as otherwise provided in Health and Safety Code Section 437.12, the Office shall not issue a certificate of need for any project unless the project is found to be desirable in accordance with this section and, for a surgical clinic, Section 90927.

(b)

Except as otherwise provided in Health and Safety Code Section 437.12, no project shall be found to be desirable unless the applicant establishes by a preponderance of the evidence that the project meets all of the following: (1) The project will fill an unmet community need identified in the Statewide Health Facilities and Services Plan, if the type of project is addressed in the Plan. (2) The project will not have a substantial adverse effect on the utilization of other facilities offering the same or similar services or such adverse effect is outweighed by the benefits of the project to the population to be served. (3) The project will be optimally utilized within a reasonable time period in a financially feasible and economically efficient manner. (4) Financial resources exist to successfully complete and implement the project. (5) The project and the facility comply with applicable federal, state, and local laws and regulations. (6) The applicant is capable of completing and implementing the project. (7) As applicable there is community support for the facility and the project. (8) The project will, as

applicable, enhance accessibility of health services to the population to be served.

(9) The project will benefit the population to be served. (10) The project will not adversely affect the indigent population of the area.

(1)

The project will fill an unmet community need identified in the Statewide Health Facilities and Services Plan, if the type of project is addressed in the Plan.

(2)

The project will not have a substantial adverse effect on the utilization of other facilities offering the same or similar services or such adverse effect is outweighed by the benefits of the project to the population to be served.

(3)

The project will be optimally utilized within a reasonable time period in a financially feasible and economically efficient manner.

(4)

Financial resources exist to successfully complete and implement the project.

(5)

The project and the facility comply with applicable federal, state, and local laws and regulations.

(6)

The applicant is capable of completing and implementing the project.

(7)

As applicable there is community support for the facility and the project.

(8)

The project will, as applicable, enhance accessibility of health services to the population to be served.

(9)

The project will benefit the population to be served.

(10)

The project will not adversely affect the indigent population of the area.