



1 any rule issued by the state agency, a nonprofit community group  
2 designated by a county commission shall not be required to apply  
3 for or obtain a certificate of need, an exemption from certificate  
4 of need review, a determination of nonreviewability, or any other  
5 approval from the state agency in order to develop and operate a  
6 nursing home on the grounds of a critical access hospital provided  
7 that:

8       (1) The critical access hospital is located in the county of  
9 such county commission;

10       (2) The critical access hospital is operated on real property  
11 owned by such county;

12       (3) The critical access hospital previously operated a long-  
13 term care unit on the grounds of the critical access hospital;

14       (4) The critical access hospital closed such long-term care  
15 unit between December 1, 2010 and February 28, 2011;

16       (5) The nonprofit community group develops and operates no  
17 more than thirty-six nursing home beds pursuant to this section;  
18 and

19       (6) The nonprofit community group applies for a license to  
20 operate the nursing home within six months after the effective date  
21 of this section.

22       (b) The establishment of a nursing home and nursing beds under  
23 this section shall be exempt from the nursing home bed moratorium  
24 pursuant to subsection (g), section five of this article.

1           (c) Any nursing home developed and operated pursuant to this  
2 section shall be subject to all certificate of need laws and rules  
3 as they pertain to any transactions subsequent to the development  
4 and commencement of operation of such nursing home.

NOTE: The purpose of this bill is to allow the development and operation of a nursing home on the grounds of a critical access hospital meeting certain restrictions and exemptions from nursing home moratorium and CON requirements.

This section is new; therefore, strike-throughs and underscoring have been omitted.