

LEGISLATIVE BILL 840

Approved by the Governor June 8, 1993

Introduced by Appropriations Committee: Moore, 24, Chairperson;
Ashford, 6; Avery, 3; Bernard-Stevens, 42;
Crosby, 29; Hillman, 48; Hohenstein, 17;
Lynch, 13; Wehrbein, 2

AN ACT relating to health care; to amend section 71-5837, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to certificate of need application fees; to provide an operative date; to repeal the original section; and to declare emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-5837, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-5837. (1) An application for a certificate of need shall be filed with the department. All applications for a certificate of need shall be accompanied by a nonrefundable fee as follows:

(a) For an application or project which is granted nonsubstantive review status, ~~three hundred~~ one thousand dollars;

(b) For an amendment to an application determined to be complete by the department, ~~three hundred~~ one thousand dollars;

(c) For any other application involving ~~a capital expenditure of two million dollars or more or an annual operating expenditure of seven hundred thousand dollars or more, five hundred dollars plus five hundred dollars for each full or partial one million dollar increment of capital expenditures or three hundred fifty thousand dollar increment of annual operating expenditures. The maximum fee shall be two thousand five hundred dollars~~ an expenditure in excess of the capital expenditure minimum or the annual operating expenditure minimum, twenty-five hundredths of one percent of the total cost of the proposed project; and

(d) For any other application, ~~five hundred~~ one thousand dollars.

(2) Such fee shall be remitted to the State Treasurer for credit to the General Fund. ~~Department of Health Cash Fund. The fee shall be used to partially defray the expenses of the Department of Health incurred in the administration of the Nebraska Health Care Certificate of Need Act.~~

Sec. 2. This act shall become operative on July 1, 1993.

Sec. 3. That original section 71-5837, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according