

CABINET FOR HEALTH AND FAMILY SERVICES

Office of Inspector General

Division of Certificate of Need

(Amended at Subject Matter Committee)

900 KAR 5:020. State Health Plan for facilities and services.

RELATES TO: KRS 216B.010-216B.130, **216B.178**

STATUTORY AUTHORITY: KRS 194A.030, 194A.050(1), 216B.010, 216B.015(28), 216B.040(2)(a)2.a

NECESSITY, FUNCTION, AND CONFORMITY: KRS 216B.040(2)(a)2.a requires the cabinet to promulgate an administrative regulation, updated annually, to establish the State Health Plan. The State Health Plan is a critical element of the certificate of need process for which the cabinet is given responsibility in KRS Chapter 216B. This administrative regulation establishes the State Health Plan for facilities and services.

Section 1. The State Health Plan shall be used to:

- (1) Review a certificate of need application pursuant to KRS 216B.040; and
- (2) Determine whether a substantial change to a health service has occurred pursuant to KRS 216B.015(29)(a) and 216B.061(1)(d).

Section 2. Incorporation by Reference.

(1) The "2023~~[2022]~~ Update to the State Health Plan", ~~March/February/ 2024/July/~~
~~[March/ 2023/]~~~~[July 2022]~~, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of Inspector General, Division of Certificate of Need, 275 East Main Street, 5E-A, Frankfort, Kentucky 40621, Monday through Friday, 8 a.m. to 4:30 p.m. This material may also be viewed on the Office of Inspector General's Web site at: <https://chfs.ky.gov/agencies/os/oig/dcn/Pages/cn.aspx>.

(24 Ky.R. 1433; 1714; eff. 4-13-1998; 26 Ky.R. 484; 1017; 1161; eff. 10-20-1999; 27 Ky.R. 606; 1319; 1492; eff. 12-21-2000; 29 Ky.R. 2377; eff. 6-16-2003; Recodified from 902 KAR 17:041, 5-26-2004; 31 Ky.R. 236; 782; eff. 11-17-2004; 32 Ky.R. 1785; 2295; eff. 7-24-2006; 34 Ky.R. 408; 1004; 1984; eff. 12-17-2007; 35 Ky.R. 1918; 2455; 36 Ky.R. 325; eff. 8-12-2009; 2255; 37 Ky.R. 403; 735; eff. 9-15-2010; 1571; 2222; 2400; eff. 5-6-2011; 37 Ky.R. 3005; eff. 10-19-2011; 39 Ky.R. 1322; 1895; 2174; eff. 5-31-2013; 40 Ky.R. 894; eff. 1-15-2014; 41 Ky.R. 2649; 42 Ky.R. 772; 1196; eff. 10-21-2015; 43 Ky.R. 800, 1420; eff. 3-31-2017; 44 Ky.R. 369, 1025, 1345; eff. 1-5-2018; 45 Ky.R. 472; 1238; 1622; eff. 12-12-2018; 46 Ky.R. 2841; 47 Ky.R. 550; eff. 10-28-2020; 48 Ky.R. 2524; 49 Ky.R. 69, 347; eff. 8-25-2022; 49 Ky.R. 2024; 50 Ky.R. 395, 1894, 2053; eff. 3-21-2024.)

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