

MINUTES OF THE CERTIFICATE OF NEED APPEAL PANEL OPEN MEETING
MAY 23, 2022, 10 A.M.

Commissioners Present: Chairman Wright McLeod, Commissioners David Will, Trey Taylor and William Joy (by telephone)

The meeting was called to order by Chairman McLeod.

Chairman McLeod asked for a motion to approve the agenda.
Commissioner Will moved, and the motion was seconded by Commissioner Taylor
The agenda was approved unanimously.

Chairman McLeod identified the two items on the agenda and asked if any member of the public wanted to speak to either of the two items on the agenda. No member of the public asked to speak.

The first item was a Notice of Proposed Rulemaking to Amend CON Appeal Panel Rule 274-1-.04. At the request of the Chairman, Daniel Walsh from the Attorney General's Office summarized the proposed amendments contained in the Notice of Proposed Rulemaking. The summary included that the proposed amendments increased the dollar amount of the filing fee for appeals, applied the fee to all appeals to the CON Appeal Panel and provided that the fees must be paid using one of the acceptable payment methodologies posted on the Department of Community Health's website. After the summary was given, the four commissioners listed above as present voted unanimously to approve the issuance of the Notice of Proposed Rulemaking to amend CON Appeal Panel Rule 274-1-.01.

The second item on the agenda was a Notice of Proposed Rulemaking to amend a number of CON Appeal Panel rules. At the request of the Chairman, Mr. Walsh summarized the proposed amendments contained in the Notice of Proposed Rulemaking. The summary included that the proposed amendments updated the rules to account for changes in the controlling statutes, clarified who can appeal to the CON Appeal Panel, provided for filing over the Department of Community Health's web portal and permitted service by electronic mail as well as regular mail. After the summary was given, the four commissioners listed above as present voted unanimously to approve the issuance of the Notice of Proposed Rulemaking to amend CON Appeal Panel Rules 274-1-.01, .02, .03, .06, .10, .11 and .12.

There being no further business for the Panel, the Chairman then adjourned the meeting.