

INITIAL RULE IMPACT STATEMENT

(This document may be revised based on comment received during the public comment period.)

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH
CHAPTER 4. CERTIFICATION OF NEED REGULATIONS**

1. **DESCRIPTION:**
During the 2024 Legislative Session, HB2330, as enacted, repealed 63 O.S. §880.1, 63 O.S. § 880.2, 63 O.S. § 880.3, 63 O.S. § 880.4, 63 O.S. § 880.5, 63 O.S. § 880.6, 63 O.S. § 880.7, 63 O.S. § 880.8, 63 O.S. § 880.9, 63 O.S. § 880.10, 63 O.S. § 880.11. This action by the legislature removed the certificate of need requirements for psychiatric and chemical dependency facilities. The proposed rule change removes psychiatric and chemical dependency certificate of need language from the certificate of need regulations.
2. **DESCRIPTION OF PERSONS AFFECTED AND COST IMPACT RESPONSE:**
Psychiatric and chemical dependency facilities are no longer required to apply for a certificate of need. As a result, fees associated with the application process will no longer be necessary for psychiatric and chemical dependency facilities.
3. **DESCRIPTION OF PERSONS BENEFITING, VALUE OF BENEFIT AND EXPECTED HEALTH OUTCOMES:**
The benefit of this rule change is the elimination of conflict between the Department's rules and statute as it relates to the removal of certificate of need requirements for psychiatric and chemical dependency facilities clear.
4. **ECONOMIC IMPACT, COST OF COMPLIANCE, AND FEE CHANGES: COST OF COMPLIANCE AND FEE CHANGES:**
Fees for psychiatric and chemical dependency facilities for certificate of need will be eliminated since certificate of need will no longer be required for these facilities. There are no anticipated costs associated with compliance.
5. **COST AND BENEFITS OF IMPLEMENTATION AND ENFORCEMENT TO THE AGENCY:**
There are no anticipated costs to the agency for implementation and enforcement. The benefit of implementation is clear alignment with statutory changes.
6. **IMPACT ON POLITICAL SUBDIVISIONS:**
There are no anticipated impacts on political subdivisions.
7. **ADVERSE EFFECT ON SMALL BUSINESS:**
There are no anticipated adverse effects on small businesses.
8. **EFFORTS TO MINIMIZE COSTS OF THE RULE:**
There are no less costly means currently identified.
9. **EFFECT ON PUBLIC HEALTH AND SAFETY:**
The proposed rule change will allow for alignment with statute.
10. **DETRIMENTAL EFFECTS ON PUBLIC HEALTH AND SAFETY WITHOUT ADOPTION:**

The Department's rules would conflict with the recently enacted statute if the proposed rule amendment is not adopted.

11. **PREPARATION AND MODIFICATION DATES:**
This rule impact statement was prepared on July 31, 2024.