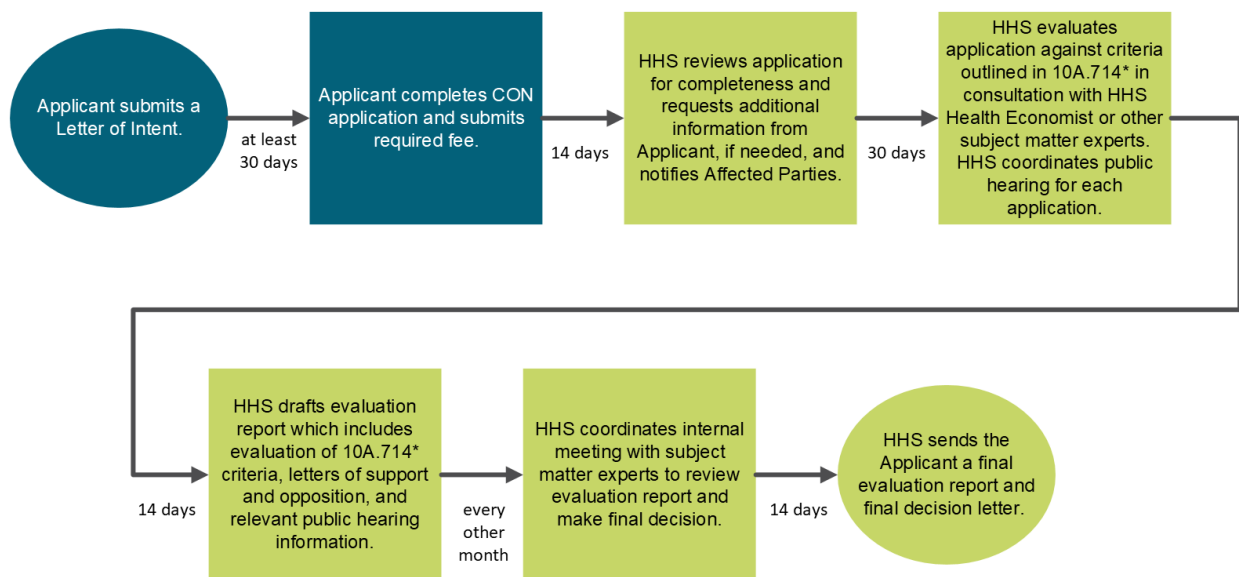


Notice of Changes to the Certificate of Need (CON) Process

Effective **July 1, 2025**, Iowa Health and Human Services (HHS) will implement significant changes to the **Certificate of Need (CON)** program in accordance with 2025 Iowa Acts, House File 972. This legislative update transfers responsibility for the CON program from the Department of Inspections, Appeals, and Licensing (DIAL) to Iowa HHS and eliminates the Health Facilities Council. Moving forward, Iowa HHS will oversee application reviews and issue final decisions.

Certificate of Need (CON) Process Overview

The following flow chart provides an overview of the HHS CON process. Timeframes are intended to provide an approximate timeline of the process and may vary.



Key Updates to the CON Process:

Internal Review

- With the **sunset** of the Health Facilities Council, Iowa HHS will conduct all internal application reviews.
- The review process will incorporate expertise from Iowa HHS's Health Economist and subject matter experts from Medicaid, Aging and Disability Services, and Behavioral Health.

- Iowa HHS will issue all final determinations on applications.

Public Hearings

- Each application will undergo a **public hearing** to gather stakeholder input.
- Details regarding scheduled hearings will be available on the [Iowa HHS website](#).
- Iowa HHS will coordinate and facilitate hearings but will not engage in dialogue.
- Hearings will be scheduled for **one hour** unless otherwise determined.
- Participants will be allotted **five minutes** per turn to provide input.

Rehearing & Appeals

- Rehearings and appeals will be conducted pursuant to 10A.720*.
- Rehearing will be conducted by the **Iowa HHS Director**.
- Applicants may request an appeal at the **district court level**, either after a rehearing or instead of one.

Summary Review

- At Iowa HHS's discretion, a summary review process may be utilized pursuant to 10A.717* for projects with limited scope, projects necessary to ensure compliance, or projects with limited change to bed capacity.

Facility-Specific Requirements

- Nursing Facilities (135C.35A): Beginning July 1, 2023, and ending June 30, 2026, nursing facilities must **submit a moratorium waiver**, and the waiver must be approved by Iowa HHS prior to applying for a CON.
- Pediatric Medical Institutions for Children (PMIC) (135H.6): Beginning July 1, 2024, PMICs are **exempt** from requiring a CON. The Iowa HHS Director may approve additional PMIC beds if necessary.
- Birth Centers (2025 Iowa Acts, House File 887): Effective July 1, 2025, birth centers are **exempt** from requiring a CON.

For additional information, visit the [Iowa HHS website](#).

* References to Iowa Code will be updated effective July 1, 2025, pursuant to 2025 Iowa Acts, House File 972.