Certificate of Need Application Process:

Applications are encouraged to contact DOH for guidance prior to filing.

Application is submitted to DOH on the first day of the month.

DOH determines that the application is complete.

State Health Planning Board (SHPB) must hold at least one public hearing.

Commissioner of Health approves or denies application, DOH may add conditions to approval.

Often conducted in joint hearing.

CHAPA Process:

Application is submitted to Attorney General Office, Department of Law & Public Safety, Division of Law.

AG determines that the application is complete.

AG must hold at least one public hearing.

Hospital must advertise proposed acquisition in local newspaper once per week for 3 weeks.

Expedited process cuts down on time between events, but all steps in this timeline are still required.

Applicant may request “expedited” review when:
(a) an emergent situation demands rapid action; or
(b) the proposed transaction has minimal impact on the healthcare system as a whole.

Talks begin between two entities.

An "Asset Purchase Agreement" (APA) is finalized and submitted to the Attorney General & DOH.

Acquiree files Order to Show Cause with NJ Superior Court, Sale is finalized.

Court Rules on whether or not to allow sale of hospital and decides on conditions.

AG’s office and DOH ask a laundry list of questions and request documents from the parties involved – all written communications and documents submitted become public.

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