**Section 1130.620 Technical Assistance, Classification, Completeness Review, and Review Procedures**

a) Technical Assistance

1) The application shall be completed in accordance with the requirements of this Part that are applicable to the individual project. An applicant may request technical assistance from or a pre-application conference with HFSRB staff regarding completion of the application and the applicability of the requirements of this Part.

2) Technical assistance may be provided to any person regarding pre-application conferences, the filing of an application, or other request to HFSRB, provided that the communication is *not intended to influence any decision on the application. Once an application is filed and deemed complete, a written record of any communication between staff and an applicant shall be prepared by staff and made part of the public record, using a prescribed format, and shall be included in the public record.* [20 ILCS 3960/4.2]

3) *Nothing in* the Act *shall prohibit staff members from providing technical assistance to applicants. Nothing* in the *Act shall prohibit staff from verifying or clarifying an applicant's information as* they prepare *the Board's staff report.* [20 ILCS 3960/4.2(a)]

4) Technical assistance may be provided for the benefit of HFSRB to clarify issues relevant to an application or other business of HFSRB. The assistance may be in the form of written correspondences, conversations, site visits, meetings, or consultations with independent experts. HFSRB staff shall prepare a written record of any technical assistance provided after an application is deemed complete for inclusion in the application file.

b) Classification of an Application

An application for permit shall be classified as substantive, non-substantive or emergency, as discussed in 77 Ill. Adm. Code 1110.40.

c) Completeness Review

1) Within 10 business days after receiving an application for permit, HFSRB staff shall determine whether the application is substantially complete and ready to be reviewed for compliance with applicable review criteria and standards. The completeness review shall be conducted with the understanding that additional information may be necessary during the staff-review period for criteria compliance, to further clarify or explain statements or data in the application. An application for any project shall be deemed complete if all of the following have been met:

A) all review criteria applicable to the individual project have been addressed, including the Safety Net Impact Statement (for applicants other than long-term care providers);

B) the required fee (as outlined in Section 1130.230) has been submitted;

C) the number of copies, forms, and format as specified in the application have been submitted;

D) all annual progress reports on previously approved projects for the facility and/or applicants have been submitted;

E) all required information concerning completion of previously approved projects for the facility and/or applicants has been submitted;

F) when the project proposed contains major medical equipment, the cost of the equipment to be acquired has been provided;

G) all persons who are applicants have been identified and the applicants that hold the license and that will operate the facility have provided documentation from the Illinois Secretary of State that the applicant is registered to conduct business in Illinois and is in good standing or, if the applicant is not required to be registered to conduct business in Illinois, evidence of authorization to conduct business in other states;

H) all HFSRB requests and questionnaires for information or data for all Illinois facilities owned or operated by any applicant, such as but not limited to the Annual Hospital or Long-term Care Questionnaire (77 Ill. Adm. Code 1100.60 and 1100.70) or Cancer Registry (77 Ill. Adm. Code 840.110(d) and 840.115(i)) have been received and are complete;

I) verification that the applicant has fulfilled all compliance requirements with all existing permits that have been approved by HFSRB;

J) documentation of compliance with the Flood Plain Rule under Illinois Executive Order #2006-05;

K) documentation of compliance with the requirements of the Illinois State Agency Historic Resources Preservation Act; and

L) identification of a site.

2) An application shall be incomplete if any of the elements described in subsection (c)(1) are not present or if additional information or documentation is required to clarify a response. Failure to address an applicable criterion or to respond that an applicable criterion does not apply to the proposed project shall be a basis for deeming the application incomplete.

3) If an application fails to include any of the elements described in subsection (d)(1) or if additional information or documentation is required to clarify a response, the application shall not be scheduled for consideration by HFSRB until such time that the required information is submitted and accepted.

4) Applications received after 8:30 a.m. shall be deemed as being received the following business day.

5) Within the completeness review period, HFSRB shall notify the applicant in writing of whether the application is substantially complete and, in the case of an incomplete application, the reasons the application is incomplete.

6) If the application is complete, the completion date shall initiate the review period. If the application is incomplete, the applicant shall be allowed 45 days after notification to provide all necessary information to complete the application. Upon receiving all requested information, HFSRB staff shall again review the application for completeness and shall notify the applicant of its decision. If HFSRB staff find that the application remains incomplete at the end of the allotted response period, the application shall be declared null and void, and all fees paid forfeited.

HFSRB NOTE: The applicant is responsible for assuring that HFSRB receives the requested information within the prescribed time frame.

d) Review Procedures

1) All applications will be reviewed and evaluated for conformance with the applicable review criteria in effect at the time the application is deemed complete.

2) Each application will be reviewed and considered on an individual basis unless HFSRB has established review criteria or procedures that pertain or relate to comparative review or "batching" of applications.

3) Applications for permit shall be subject to the need figures set forth in the most recent update to the Inventory of Health Care Facilities and Services and Need Determinations as adjusted by HFSRB decisions in effect prior to the date HFSRB takes action on the application. HFSRB action includes the approval, issuance of an intent to deny, or denial of an application.

4) All applications except emergency applications are subject to the public hearing requirements of the Act. All evidence submitted at a public hearing shall be taken into account in the determination of compliance or noncompliance of an application with applicable review criteria.

(Source: Amended at 40 Ill. Reg. 14647, effective October 14, 2016)