

SB 5149-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that any person other than the certificate of need applicant or recipient, including a health care facility or health maintenance organization, that has the right to an adjudicative proceeding under the administrative procedure act to contest the department of health's granting of a certificate of need application or other department authorization is, in the event that a final decision is rendered in favor of the certificate of need applicant or recipient, required to pay reasonable attorneys' fees and documented costs including any costs borne by the applicant or recipient associated with a delay of services or construction and any department costs and attorneys' fees associated with the appeal.