Date: April 10, 2020

To: All Nursing Home and Hospital Administrators

**RE: Information regarding Emergency Certificates of Need (“CON”)**

**to Temporarily Increase Bed Capacity**

Pursuant to Governor Janet T. Mills’ March 15, 2020 *Proclamation of State of Civil Emergency to Further Protect Public Health* (“SOE”), the Director of the Division of Licensing and Certification (“DLC”) has authorized Maine nursing homes and hospitals, licensed by the Department of Health and Human Services under 22 MRSA Ch 405, to make a request to DLC for an emergency CON to temporarily increase the number of licensed beds in their facilities due to COVID-19.

The Department is providing the attached COVID-19 Emergency Certification of Need (“CON”) Form to expedite that process.  All requests made using the attached form, so long as related only to COVID-19, ***will be granted***.

***Please note***: all the bed increases a facility anticipates due to COVID-19 should be documented on thisform; and no beds can be added to a facility license prior to submitting the attached Form to DLC.

Once completed, facilities must submit the form to DLC ***only*** via email to [Larry.Carbonneau@Maine.gov](mailto:Larry.Carbonneau@Maine.gov) and [Rich.S.Lawrence@Maine.gov](mailto:Rich.S.Lawrence@Maine.gov).

This approval is temporary. Therefore, within 60 days after the Governor declares an end to the SOE, facilities must either:

1. return to their pre-SOE number of beds; or
2. to keep the additional beds, a facility must file a new CON application consistent with the pre-SOE, statutory and regulatory CON requirements.

**Sincerely,**

**Bill Montejo, RN**

**Director, Division of Licensing and Certification**