

### **216B.115 Appeal to Franklin Circuit Court.**

- (1) An appeal to the Franklin Circuit Court may be taken from any final decision of the cabinet with respect to a certificate-of-need application, a certificate of need, or a license, by any party to the proceedings.
- (2) An appeal may be taken by filing a petition for review in the Franklin Circuit Court within thirty (30) days after notice of the final decision unless a request for reconsideration has been filed, in which case the petition shall be filed within fifteen (15) days of the cabinet's decision not to reconsider or notice of its decision on reconsideration. The petition shall state completely the grounds upon which the review is sought and shall assign all errors relied upon. The petitioner shall serve a copy of the petition to each person who was a party to the proceedings. Summons shall be issued upon the petition directing the adverse party or parties to file an answer within twenty (20) days after service of summons. The cabinet shall, upon being served with the summons and within thirty (30) days thereafter, file a copy of the record, duly certified by the secretary, the cost of the record to be taxed as costs upon appeal. In lieu of filing of the record, an abstract thereof may be filed if all parties to the appeal agree.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 371, sec. 55, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 512, Part 7, sec. 41, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 499, sec. 11, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 210, sec. 25, effective July 15, 1988. -- Amended 1982 Ky. Acts ch. 347, sec. 21, effective July 15, 1982. -- Created 1980 Ky. Acts ch. 135, sec. 22, effective July 15, 1980.