§ 51.31. Principle.
The Department may grant exceptions to this part when the policy and objectives contained therein are otherwise met, or when compliance would create an unreasonable hardship and an exception would not impair or endanger the health, safety or welfare of a patient or resident. NO EXCEPTIONS OR DEPARTURES FROM THIS PART WILL BE GRANTED IF COMPLIANCE WITH THE REQUIREMENT IS PROVIDED FOR BY STATUTE.

§ 51.32. Exceptions for innovative programs.
This part is not intended to restrict the efforts of a health care facility to develop innovative and improved programs of management, clinical practice, physical renovation or structural design. Whenever this part appears to preclude any program which may improve the capacity of the health care facility to deliver higher quality care and services or to operate more efficiently without compromising patient or resident care, the Department encourages the health care facility to request appropriate exceptions under this chapter.

§ 51.33. Requests for exceptions.
(a) A health care facility shall make requests for exceptions to the Department in writing.
(b) The Department will retain the requests on file and document whether they have been approved or disapproved.
(c) If the Department proposes to approve an exception, it may request public comment on the exception by notice in the Pennsylvania Bulletin. UPON RECEIPT OF A REQUEST FOR EXCEPTIONS, SAID REQUEST WILL BE PUBLISHED IN THE PENNSYLVANIA BULLETIN WITH A PUBLIC COMMENT PERIOD. THE DEPARTMENT WILL REVIEW THESE COMMENTS BEFORE MAKING A DETERMINATION TO APPROVE OR DISAPPROVE AN EXCEPTION. THE DEPARTMENT WILL PUBLISH REQUESTS FOR EXCEPTIONS IN EMERGENCY SITUATIONS, BUT WILL NOT INCLUDE A PUBLIC COMMENT PERIOD.
(d) The Department will publish notice of all approved exceptions in the Pennsylvania Bulletin on a periodic basis.
(e) The health care facility shall retain approved requests on file during the period the exception remains in effect.

§ 51.34. Revocation of exceptions.
(a) An exception granted under this chapter may be revoked by the Department for justifiable reason. The Department will provide notice of the revocation in writing and will include the reason for the revocation and the date upon which the exception will be terminated.
(b) In revoking an exception, the Department will provide for a reasonable period of time between the date of written notice of the revocation and the date of termination of an exception to afford the health care facility an opportunity to come into compliance with the applicable regulations.
(c) If a health care facility wishes to request a reconsideration of a denial or revocation of an exception, it shall do so in writing to the director of the appropriate division within 30 days after service of the adverse notification.

New Construction: The licensee or prospective licensee shall have the opportunity to present and discuss purposes and plans concerning the requested changes indicated on the architectural plans with the Department. If differences occur and cannot be resolved, administrative hearings may be sought under 1pa. Code Part II (relating to General Rules of Administrative Practice and Procedure.)