

SB0390/737574/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 390
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “fee” in line 16 and substitute “specifying the contents of a certain plan for retraining and placing certain displaced employees who work for a certain hospital that proposes to close, partially close, or convert to a certain freestanding medical facility”; in line 16, after “Department” insert “of Labor, Licensing, and Regulation”; in line 18, strike “defining a certain term;”; in line 23, strike “19–326.1” and substitute “19–120(1)(5)”; and after line 25, insert:

“BY repealing and reenacting, without amendments,
Article - Health - General
Section 19-222(g)(3)(i) and 19-326.1
Annotated Code of Maryland
(2015 Replacement Volume and 2017 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 6 on page 2 through line 2 on page 3, inclusive, and substitute:

“19–120.

(1) (5) (i) The Commission shall establish by regulation requirements for a public informational hearing required under paragraph (2) or (3) of this subsection.

(ii) For a hospital proposing to close, partially close, or convert to a freestanding medical facility, the regulations shall require the hospital to address:

(Over)

1. The reasons for the closure, partial closure, or conversion;
2. The plan for transitioning acute care services previously provided by the hospital to residents of the hospital service area;
3. The plan for addressing the health care needs of the residents of the hospital service area;
4. [The] SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE plan for retraining and placing displaced employees;
5. The plan for the hospital's physical plant and site; and
6. The proposed timeline for the closure, partial closure, or conversion to a freestanding medical facility.

(III) THE PLAN REQUIRED UNDER SUBPARAGRAPH (II)4 OF THIS PARAGRAPH SHALL INCLUDE:

1. **JOB PLACEMENT ASSISTANCE WITH AN AFFILIATED HOSPITAL OR HEALTH CARE ENTITY, AN UNAFFILIATED HOSPITAL OR HEALTH CARE ENTITY, OR A NONHEALTH CARE RELATED POSITION;**
2. **TRAINING AND SKILLS DEVELOPMENT THROUGH PROGRAMS OFFERED BY THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION, THE HOSPITAL OR HEALTH SYSTEM, OR BY OTHER PROGRAMS AVAILABLE TO PROVIDE TRAINING AND SKILLS DEVELOPMENT;**
3. **A REQUIREMENT THAT THE HOSPITAL WORK WITH EMPLOYEES AND, IF APPLICABLE, THE EMPLOYEE REPRESENTATIVE OF THE**

EMPLOYEES, TO IDENTIFY AVAILABLE AND APPROPRIATE TRAINING OR RETRAINING PROGRAMS THAT MAY BE USED IN ANTICIPATION OF THE CLOSURE, PARTIAL CLOSURE, OR CONVERSION TO A FREESTANDING MEDICAL FACILITY; AND

4. AT THE DISCRETION OF THE HEALTH SERVICES COST REVIEW COMMISSION, USE OF:

A. § 19-222(G)(3)(I) OF THIS TITLE TO PROVIDE A TEMPORARY ADJUSTMENT OF THE RATES OF THE HOSPITAL INVOLVED IN THE CLOSURE, PARTIAL CLOSURE, OR CONVERSION TO A FREESTANDING MEDICAL FACILITY; OR

B. § 19-326.1 OF THIS TITLE.

19-222.

(g) (3) The Commission may provide, as appropriate, for temporary adjustment of the rates of those hospitals that are directly involved in the merger or consolidation, closure, or delicensure in order to provide sufficient funds for an orderly transition. These funds may include:

(i) Allowances for those employees who are or would be displaced;

19-326.1.

If a hospital voluntarily closes, merges, or is delicensed under § 19-325 of this subtitle and workers are displaced:

(Over)

(1) Each hospital shall pay a fee directly to the Department of Labor, Licensing, and Regulation. The fee shall not exceed 0.01 percent of the gross operating revenue for the fiscal year immediately preceding the closure or delicensing of the hospital. A fee shall only be assessed once for each voluntary closure, merger, or delicensure.

(2) The Secretary of Labor, Licensing, and Regulation shall pay the fees received under this section into the Hospital Employees Training Fund established under § 11-201 of the Labor and Employment Article.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 5 through 7, inclusive; in lines 8, 11, and 12, in each instance, strike the bracket; in line 8, strike “(B)”; in lines 14, 20, 22, and 27, strike “(C)”, “(D)”, “(E)”, and “(F)”, respectively, and substitute “(B)”, “(C)”, “(D)”, and “(E)”, respectively; in lines 15 and 19, in each instance, strike “(B)” and substitute “(A)”; and in line 16, after “OTHER” insert “SUFFICIENTLY FUNDED”.