

BY: Conference Committee

AMENDMENT TO SENATE BILL NO. 143

(Third Reading File Bill)

On page 6, strike in their entirety lines 26 through 28, inclusive, and substitute:

“(C) (1) ON REQUEST TO THE REGULATING ENTITY, AND SUBJECT TO PARAGRAPHS (2), (3), AND (4) OF THIS SUBSECTION, AN APPLICATION AND RELATED DOCUMENTS SHALL BE AVAILABLE FOR PUBLIC INSPECTION AND COPYING.

(2) EXCEPT AS PROVIDED IN PARAGRAPHS (3) AND (4) OF THIS SUBSECTION OR OTHERWISE BY LAW, ALL INFORMATION AND DOCUMENTS THAT ARE FILED WITH THE REGULATING ENTITY IN COMPLIANCE WITH THE REQUIREMENTS OF THIS TITLE OR THAT ARE REPORTED TO, OBTAINED BY, OR OTHERWISE DISCLOSED TO THE REGULATING ENTITY OR ANY OTHER PERSON IN THE COURSE OF AN EXAMINATION OR INVESTIGATION MADE UNDER THIS TITLE:

(I) ARE CONFIDENTIAL MATERIAL;

(II) ARE NOT SUBJECT TO SUBPOENA; AND

(III) MAY NOT BE MADE PUBLIC BY THE REGULATING ENTITY OR ANY OTHER PERSON.

(3) MATERIAL THAT OTHERWISE IS CONFIDENTIAL UNDER PARAGRAPH (2) OF THIS SUBSECTION MAY BE MADE PUBLIC BY ANY PERSON TO WHOM THE NONPROFIT HEALTH ENTITY TO WHICH THE MATERIAL RELATES GIVES PRIOR WRITTEN CONSENT.

(4) IF, AFTER GIVING A NONPROFIT HEALTH ENTITY NOTICE AND AN OPPORTUNITY TO BE HEARD, THE REGULATING ENTITY DETERMINES THAT IT IS IN

(Over)

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THE INTEREST OF THE POLICYHOLDERS, STOCKHOLDERS, OR THE PUBLIC TO MAKE PUBLIC ANY MATERIAL RELATING TO THE NONPROFIT HEALTH ENTITY THAT OTHERWISE IS CONFIDENTIAL UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE REGULATING ENTITY MAY MAKE PUBLIC ALL OR PART OF THE MATERIAL IN AN APPROPRIATE MANNER.”.

On page 7, strike in their entirety lines 1 through 5, inclusive; strike beginning with “A” in line 9 down through “LOCATED” in line 11 and substitute “THE MOST WIDELY CIRCULATED NEWSPAPERS THAT ARE PART OF A NONPROFIT HEALTH ENTITY’S SERVICE AREA”; in line 26, after “PRACTICABLE” insert a comma; and in line 27, strike “COMPLETED” and substitute “COMPLETE”.

On page 8, strike beginning with “PROVISIONS” in line 20 down through “ARTICLE” in line 21 and substitute “STATE PROCUREMENT LAWS”.

On page 9, in line 13, strike “ENSURE THAT”; in line 17, before “THE” insert “ENSURE THAT”; in the same line, after “PUBLIC” insert “OR CHARITABLE”; in line 18, after “(2)” insert “ENSURE THAT:”; in lines 19 and 20, strike “IS TRANSFERRED” and substitute “WILL BE DISTRIBUTED”; in lines 22 and 26, in each instance, strike “PROCEEDS OF AN ACQUISITION” and substitute “FAIR VALUE OF THE PUBLIC OR CHARITABLE ASSETS”; in lines 23 and 27, in each instance, strike “IS” and substitute “WILL BE”; in lines 26 and 27, strike “PUBLIC OR”; in line 27, after “A” insert “PUBLIC OR”; and in lines 31 and 33, in each instance, after “CARE” insert “IN THE AFFECTED COMMUNITY”.

On page 10, in line 1, before “NO” insert “ENSURE THAT”; in the same line, after “PUBLIC” insert “OR CHARITABLE”; in lines 1 and 2, strike “OR THE PROCEEDS”; in line 5, strike “TRANSFER OR A”; in line 6, after “ASSETS” insert “OF A NONPROFIT HEALTH ENTITY OR A VOTE OF ITS CERTIFICATE HOLDERS AS PROVIDED UNDER § 6.5-303(2)(III) OF THIS SUBTITLE”; in line 16, strike “WERE” and substitute “WAS”; and in line 35, after “PUBLIC” insert “OR CHARITABLE”.

On page 11, in line 1, strike “CHARITABLE FUNDS” and substitute “PUBLIC OR CHARITABLE ASSETS”; and in line 10, strike “MARKET”.

On page 13, in line 17, strike “PUBLIC OR”; in the same line, after the second “A” insert “PUBLIC OR”; in lines 24, 25, 28, and 34, in each instance, before “NONPROFIT” insert “PUBLIC OR”; in lines 24 and 25, in each instance, after “ENTITY’S” insert “OR TRUST’S”; in lines 29 and 31, in each instance, before “CHARITABLE” insert “PUBLIC OR”; and in line 30, strike “ON” and substitute “REGARDING”.