

SENATE BILL 412

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2002 Regular Session
2lr0304

By: **Senators Neall, Astle, Baker, Blount, Colburn, Collins, Conway, DeGrange, Della, Dorman, Dyson, Exum, Ferguson, Forehand, Green, Hafer, Haines, Harris, Hoffman, Hogan, Hollinger, Hooper, Hughes, Jacobs, Jimeno, Kasemeyer, Kelley, Kittleman, Lawlah, McFadden, Middleton, Mitchell, Mooney, Munson, Pinsky, Roesser, Ruben, Schrader, Sfikas, Stoltzfus, Stone, Teitelbaum, and Van Hollen**

Introduced and read first time: January 30, 2002

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Health and Higher Educational Facilities Authority - Nonprofit**
3 **Health Service Plans**

4 FOR the purpose of altering a certain defined term under the Maryland Health and
5 Higher Educational Facilities Authority Act to include nonprofit health service
6 plans; and generally relating to the Maryland Health and Higher Educational
7 Facilities Authority Act and nonprofit health service plans.

8 BY repealing and reenacting, with amendments,
9 Article 43C - Maryland Health and Higher Educational Facilities Authority
10 Section 3(h)
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2001 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article 43C - Maryland Health and Higher Educational Facilities Authority**

16 3.

17 As used in this article, the following words and terms shall have the following
18 meanings unless the context indicates another or different meaning or intent:

19 (h) (1) "Hospital" means a hospital, a related institution or a combination of
20 a hospital and a related institution, located within this State and either meeting the
21 requirements of and having a license or licenses as required by § 19-318 of the Health
22 - General Article or, in the case of a new institution, having a prelicensing
23 certification or recertification from the State Health Planning and Development
24 Agency and being or to be, in fact, a health care facility available to the general public

1 maintained and operated as a nonprofit institution by some person, association,
2 municipal or other corporation, or other agency, or a nonprofit corporation organized
3 for the purpose of constructing or acquiring such a hospital, related institution or
4 combination of a hospital and a related institution.

5 (2) "Hospital" includes:

6 (i) Nonprofit comprehensive health centers providing out-patient
7 primary health services available to the general public, but does not include any
8 facility as described in this item which is owned and operated by the State, except
9 that with the approval of the Board of Public Works and the Joint Audit Committee of
10 the General Assembly the term includes medical or health care facilities of the
11 University System of Maryland;

12 (ii) Nonprofit life care or continuing care communities providing
13 self-contained residence facilities for the retired or elderly, but does not include any
14 facility as described in this item which is owned and operated by the State unless
15 approved by the Board of Public Works and the Joint Audit Committee of the General
16 Assembly;

17 (iii) Any combination of any of the facilities and centers enumerated
18 in items (i) and (ii) of this paragraph; [and]

19 (iv) Any entity affiliated or associated with a hospital, as defined in
20 paragraph (1) of this subsection or item (i), (ii), or (iii) of this paragraph, provided that
21 the Authority determines by resolution that the financing of a project for that entity
22 serves the public purposes of the hospital; AND

23 (V) A NONPROFIT HEALTH SERVICE PLAN THAT HOLDS A
24 CERTIFICATE OF AUTHORITY AND PROVIDES HEALTH INSURANCE POLICIES OR
25 CONTRACTS IN THE STATE IN ACCORDANCE WITH THE INSURANCE ARTICLE.

26 (3) Facilities of the University of Maryland Medical System Corporation
27 shall not be deemed to be owned and operated by the State.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2002.