
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

Committee Report: Favorable
Senate action: Adopted
Read second time: March 21, 2002

CHAPTER _____

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:

1 (h) (1) "Hospital" means a hospital, a related institution or a combination of
2 a hospital and a related institution, located within this State and either meeting the
3 requirements of and having a license or licenses as required by § 19-318 of the Health
4 - General Article or, in the case of a new institution, having a prelicensing
5 certification or recertification from the State Health Planning and Development
6 Agency and being or to be, in fact, a health care facility available to the general public
7 maintained and operated as a nonprofit institution by some person, association,
8 municipal or other corporation, or other agency, or a nonprofit corporation organized
9 for the purpose of constructing or acquiring such a hospital, related institution or
10 combination of a hospital and a related institution.

11 (2) "Hospital" includes:

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

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

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

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

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

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

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

