

SENATE BILL 487
EMERGENCY BILL

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2002 Regular Session
2r1578
CF HB 2

By: **Senators Miller, Neall, Astle, Baker, Blount, Colburn, Collins, Conway, Currie, DeGrange, Dorman, Dyson, Exum, Ferguson, Forehand, Frosh, 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: February 1, 2002

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: March 19, 2002

CHAPTER _____

1 AN ACT concerning

2 **Acquisition of Nonprofit Health Entity - Conditions for Approval**

3 FOR the purpose of altering a certain standard for making a certain determination;
4 eliminating a certain provision deeming a certain application approved under
5 certain circumstances; making this Act an emergency measure; and generally
6 relating to the acquisition of a nonprofit health entity.

7 BY repealing and reenacting, with amendments,
8 Article - State Government
9 Section 6.5-203(g) and 6.5-301(a)
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 2001 Supplement)

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

14 **Article - State Government**

15 6.5-203.

16 (g) (1) [Unless the appropriate regulating entity extends for good cause
17 under paragraph (2) of this subsection the time for making a determination under
18 subsection (f) of this section, if an application is not approved or disapproved within

1 60 days after the record, including the public hearing process, has been closed, the
2 application shall be deemed approved.

3 (2) Subject to paragraph [(3)] (2) of this subsection, at its discretion, the
4 regulating entity may extend for good cause for a 60-day period the time for making
5 a determination under subsection (f) of this section.

6 [(3)] (2) The regulating entity is limited to a maximum of two 60-day
7 extensions for making a determination on the same application.

8 6.5-301.

9 (a) The appropriate regulating entity [shall] MAY NOT approve an acquisition
10 unless it finds the acquisition is [not] in the public interest.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
12 measure, is necessary for the immediate preservation of the public health or safety,
13 has been passed by a yea and nay vote supported by three-fifths of all the members
14 elected to each of the two Houses of the General Assembly, and shall take effect from
15 the date it is enacted.