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By: **Senators Jones, Kasemeyer, DeGrange, Della, and Jimeno**

Introduced and read first time: March 3, 2006

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Health Care Commission - Atlantic C-PORT II Trial: Non-Primary**  
3 **Percutaneous Coronary Intervention Study**

4 FOR the purpose of requiring the Maryland Health Care Commission, on or before a  
5 certain date and notwithstanding certain other provisions, to grant a certain  
6 waiver for the Atlantic C-PORT II Trial: Non-Primary Percutaneous Coronary  
7 Intervention Study; providing for the purpose of the Study; prohibiting the  
8 Commission, notwithstanding certain other provisions, from approving any new  
9 open heart surgery programs before a certain date; requiring the Commission to  
10 submit a report on the findings of the Atlantic C-PORT II Trial: Non-Primary  
11 Percutaneous Coronary Intervention Study on or before a certain date;  
12 providing for the termination of this Act; and generally relating to the Atlantic  
13 C-PORT II Trial: Non-Primary Percutaneous Coronary Intervention Study.

14 BY repealing and reenacting, with amendments,  
15 Article - Health - General  
16 Section 19-120(j)(1)  
17 Annotated Code of Maryland  
18 (2005 Replacement Volume and 2005 Supplement)

19 BY adding to  
20 Article - Health - General  
21 Section 19-125.1  
22 Annotated Code of Maryland  
23 (2005 Replacement Volume and 2005 Supplement)

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

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**Article - Health - General**

2 19-120.

3 (j) (1) [A] SUBJECT TO § 19-125.1 OF THIS SUBTITLE, A certificate of need is  
4 required before the type or scope of any health care service is changed if the health  
5 care service is offered:

6 (i) By a health care facility;

7 (ii) In space that is leased from a health care facility; or

8 (iii) In space that is on land leased from a health care facility.

9 19-125.1.

10 (A) NOTWITHSTANDING THE PROVISIONS OF § 19-120 OF THIS SUBTITLE, OR  
11 ANY REGULATIONS, POLICIES, OR DECISIONS OF THE COMMISSION, ON OR BEFORE  
12 OCTOBER 1, 2006, THE COMMISSION SHALL GRANT A WAIVER FROM THE  
13 REQUIREMENT FOR ON-SITE CARDIAC SURGERY FOR HOSPITALS PARTICIPATING IN  
14 THE ATLANTIC C-PORT II TRIAL: NON-PRIMARY PERCUTANEOUS CORONARY  
15 INTERVENTION STUDY.

16 (B) NOTWITHSTANDING THE PROVISIONS OF § 19-120 OF THIS SUBTITLE, OR  
17 ANY REGULATIONS, POLICIES, OR DECISIONS OF THE COMMISSION, THE  
18 COMMISSION MAY NOT GRANT A NEW OPEN HEART SURGERY PROGRAM TO A  
19 HOSPITAL IN THE STATE ON OR BEFORE JANUARY 1, 2010.

20 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1,  
21 2010, the Maryland Health Care Commission shall report to the Governor, and, in  
22 accordance with § 2-1246 of the State Government Article, the Senate Finance  
23 Committee and the House Health and Government Operations Committee, on the  
24 findings of the Atlantic C-PORT II Trial: Non-Primary Percutaneous Coronary  
25 Intervention Study.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 June 1, 2006. It shall remain effective for a period of 4 years and, at the end of May  
28 31, 2010, with no further action required by the General Assembly, this Act shall be  
29 abrogated and of no further force and effect.