

BY: Finance Committee

AMENDMENTS TO SENATE BILL 750  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 4 down through “term;” in line 6 and substitute “establishing a freestanding medical facility pilot project in Queen Anne’s County; requiring the Department of Health and Mental Hygiene to issue a freestanding medical facility license to a certain freestanding medical facility pilot project under certain circumstances; requiring that a certain freestanding medical facility pilot project meet certain requirements; requiring a certain freestanding medical facility pilot project to provide certain information to the Maryland Health Care Commission; requiring certain claims submitted by a certain freestanding medical facility pilot project to be paid at certain rates; requiring certain provisions of law to apply to a certain freestanding medical facility pilot project;”; in line 11, strike “19-3A-01” and substitute “19-131, 19-3A-01, and 19-3A-03”; and in line 16, strike “19-131 and 19-3A-03” and substitute “19-3A-07”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with “(E)” in line 27 on page 2 down through “**LOCATED.**” in line 9 on page 3.

On page 4, strike in their entirety lines 4 through 16, inclusive.

AMENDMENT NO. 3

On page 4, after line 16, insert:

“19-3A-07.

(a) There [is a] **ARE TWO** freestanding medical facility pilot [project] **PROJECTS THAT SHALL OPERATE IN TWO JURISDICTIONS IN THE STATE.**

(Over)

(b) The Department shall issue a freestanding medical facility license to:

(1) [one] ONE freestanding medical facility pilot project if:

[(1)] (I) The freestanding medical facility pilot project is established by, and will operate administratively as part of, an acute care general hospital;

[(2)] (II) The acute care general hospital is part of a merged asset system with all of its existing Maryland acute care general hospitals located in a single jurisdiction;

[(3)] (III) There are not more than 5 acute care general hospitals in the jurisdiction;

[(4)] (IV) One or more of the existing acute care general hospitals in the merged asset system has an emergency department volume of 75,000 or more visits for the 12 months ending June 30, 2004;

[(5)] (V) The freestanding medical facility pilot project will operate in Montgomery County;

[(6)] (VI) The capital expenditure to implement the freestanding medical facility pilot project otherwise meets the requirements of § 19–120(k)(6)(viii) of this title; and

[(7)] (VII) The freestanding medical facility pilot project meets the requirements under § 19–3A–02(b) of this subtitle; AND

(2) ONE FREESTANDING MEDICAL FACILITY PILOT PROJECT IF:

(I) THE FREESTANDING MEDICAL FACILITY PILOT PROJECT IS ESTABLISHED BY, AND WILL OPERATE ADMINISTRATIVELY AS PART OF, AN ACUTE CARE GENERAL HOSPITAL LOCATED IN TALBOT COUNTY;

(II) THE FREESTANDING MEDICAL FACILITY PILOT PROJECT WILL OPERATE IN QUEEN ANNE'S COUNTY;

(III) THE CAPITAL EXPENDITURE TO IMPLEMENT THE FREESTANDING MEDICAL FACILITY PILOT PROJECT OTHERWISE MEETS THE REQUIREMENTS OF § 19-120(K)(6)(VIII) OF THIS TITLE; AND

(IV) THE FREESTANDING MEDICAL FACILITY PILOT PROJECT MEETS THE REQUIREMENTS UNDER § 19-3A-02(B) OF THIS SUBTITLE.

(c) (1) A freestanding medical facility pilot project shall provide to the Maryland Health Care Commission information, as specified by the Commission, on the configuration, location, operation, and utilization, including patient-level utilization, of the pilot project.

(2) A certificate of need is not required for a freestanding medical facility pilot project.

(d) (1) This subsection applies to:

(i) Individual, group, or blanket health insurance policies and contracts delivered or issued for delivery in the State by insurers, nonprofit health service plans, health maintenance organizations; and

(ii) Medicaid managed care organizations.

(Over)

(2) An entity subject to this subsection shall pay the claim for covered services submitted by a freestanding medical facility pilot project at rates consistent with the contract between the entity and the freestanding medical facility pilot project.

(e) The Maryland Medical Assistance Program shall pay a fee-for-service claim submitted by a freestanding medical facility pilot project at a rate at least equal to the rate paid by Medicare.

(f) The provisions of §§ 19-3A-01 through 19-3A-06 shall apply to a freestanding medical facility pilot project.

SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act shall:

(1) exempt a health care facility in Talbot County from the provisions of §§ 19-114 through 19-131 of the Health – General Article; or

(2) authorize a health care facility or service to be relocated from Talbot County to Queen Anne’s County.”;

and in line 17, strike “2.” and substitute “3.”.