

CHAPTER 398

(House Bill 487)

AN ACT concerning

State Health Services Cost Review Commission – Health Care Facilities – ~~Annual Reports of Compensation~~ Required Forms

FOR the purpose of requiring certain health care facilities to submit to the State Health Services Cost Review Commission ~~annual reports of certain compensation~~ a certain form at certain times; and generally relating to ~~the reporting of the compensation of officers, directors, and executives of health care facilities and of regulated lobbyists engaged by those facilities~~ filing of required forms by health care facilities.

BY repealing and reenacting, with amendments,
Article – Health – General
Section ~~19-212~~ 19-216
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

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

Article – Health – General

~~19-212.~~

~~The Commission shall:~~

- ~~(1) Require each facility to disclose publicly:~~
 - ~~(i) Its financial position; and~~
 - ~~(ii) As computed by methods that the Commission determines, the verified total costs incurred by the facility in providing health services;~~
- ~~(2) Review for reasonableness and certify the rates of each facility;~~
- ~~(3) Keep informed as to whether a facility has enough resources to meet its financial requirements;~~
- ~~(4) Concern itself with solutions if a facility does not have enough resources; [and]~~

~~(5) Assure each purchaser of health care facility services that:~~

~~(i) The total costs of all hospital services offered by or through a facility are reasonable;~~

~~(ii) The aggregate rates of the facility are related reasonably to the aggregate costs of the facility; and~~

~~(iii) Rates are set equitably among all purchasers of services without undue discrimination; AND~~

~~(6) REQUIRE EACH FACILITY TO SUBMIT TO THE COMMISSION AN ANNUAL REPORT OF THE COMPENSATION, INCLUDING SALARIES, BONUSES, AND PERQUISITES, OF:~~

~~(I) EACH OFFICER, DIRECTOR, AND EXECUTIVE OF THE FACILITY AND ANY PARENT COMPANY OR SUBSIDIARY OF THE FACILITY; AND~~

~~(II) ANY INDIVIDUAL ENGAGED BY A FACILITY OR A PARENT COMPANY OR SUBSIDIARY OF THE FACILITY AS A REGULATED LOBBYIST, AS DEFINED UNDER § 15-102 OF THE STATE GOVERNMENT ARTICLE, FOR THE PURPOSE OF LOBBYING THE GENERAL ASSEMBLY ON BEHALF OF THE FACILITY.~~

19-216.

(a) At the end of the fiscal year for a facility, at least 120 days following a merger or a consolidation, and at any other interval that the Commission sets, the facility shall file:

(1) A balance sheet that details its assets, liabilities, and net worth;

(2) A statement of income and expenses; [and]

(3) THE MOST RECENT FORM 990 THAT THE FACILITY FILED WITH THE INTERNAL REVENUE SERVICE; AND

[(3)] (4) Any other report that the Commission requires about costs incurred in providing services.

(b) (1) A report under this section shall:

(i) Be in the form that the Commission requires;

(ii) Conform to the uniform accounting and financial reporting system adopted under this subtitle; and

(iii) Be certified as follows:

1. For the University of Maryland Hospital, by the Legislative Auditor; or

2. For any other facility, by its certified public accountant.

(2) If the Commission requires, responsible officials of a facility also shall attest that, to the best of their knowledge and belief, the report has been prepared in conformity with the uniform accounting and financial reporting system adopted under § 19–211 of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.

Approved by the Governor, May 7, 2009.