EMERGENCY BILL

7lr3530 CF SB 1075

By: Delegate Cullison

Introduced and read first time: February 16, 2017 Assigned to: Rules and Executive Nominations

A BILL ENTITLED

4	A 7 T		•
T	AN	ACT	concerning

2

Nonprofit Health Entit	y – Acquisition –	Waiver of V	Vaiting Period

- 3 FOR the purpose of authorizing a certain regulating entity, under certain circumstances,
- 4 to waive a certain waiting period between the date a determination is made on a
- 5 certain acquisition of a nonprofit health entity and the date the determination takes
- 6 effect; making conforming changes; making this Act an emergency measure; and
- 7 generally relating to acquisitions of nonprofit health entities.
- 8 BY repealing and reenacting, with amendments,
- 9 Article State Government
- 10 Section 6.5–203
- 11 Annotated Code of Maryland
- 12 (2014 Replacement Volume and 2016 Supplement)
- 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 14 That the Laws of Maryland read as follows:

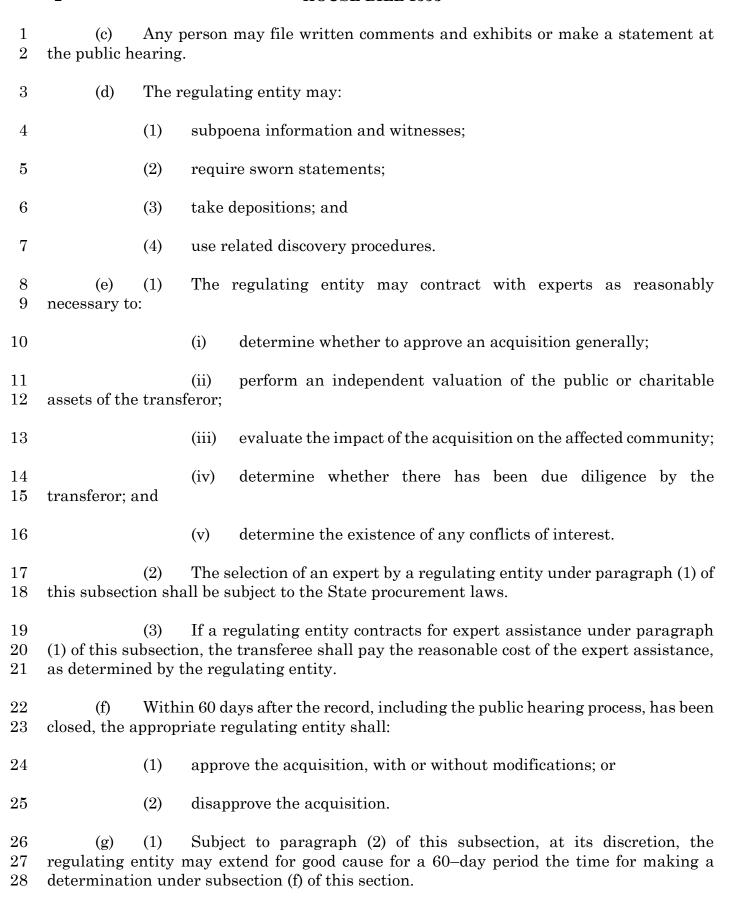
15 Article – State Government

- 16 6.5–203.
- 17 (a) (1) As soon as practicable, but no later than 90 days after receiving a
- 18 complete application, including all necessary expert reports, the appropriate regulating
- 19 entity shall hold a public hearing.
- 20 (2) If the nonprofit health entity is a hospital, the regulating entity shall
- 21 hold the public hearing in the jurisdiction in which the hospital is located.
- 22 (b) A public hearing under this section shall be a quasi-legislative hearing and
- 23 not a contested case hearing.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





- 1 (2) The regulating entity is limited to a maximum of two 60-day extensions 2 for making a determination on the same application.
- 3 (h) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS 4 SUBSECTION, A determination made by the appropriate regulating entity under 5 subsection (f) of this section may not take effect until THE EARLIER OF:
- 6 (I) 90 calendar days after the date the determination is made; or
- 7 **(II) THE DATE** when ratified or rejected by the General Assembly [, 8 whichever is earlier].
- 9 (2) THE APPROPRIATE REGULATING ENTITY MAY WAIVE THE 10 WAITING PERIOD UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION IF THE 11 APPROPRIATE REGULATING ENTITY DETERMINES THAT WAIVING THE WAITING 12 PERIOD IS IN THE BEST INTEREST OF THE PUBLIC.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.