# MAINE STATE LEGISLATURE

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1	L.D. 1460
2	(Filing No. S-159 )
3 4 5	STATE OF MAINE SENATE 113TH LEGISLATURE
6	FIRST REGULAR SESSION
7 8 9	COMMITTEE AMENDMENT "A " to S.P. 483, L.D. 1460, Bill, "AN ACT to Make Technical Amendments in the Certificate of Need Act to Expedite the Process."
10 11 12 13 14 15 16	Amend the bill in section 2, in subsection 2, in the 5th and 6th lines from the end (page 2, lines 18 and 19 in L.D.) by inserting after the underlined word "statistical" the following: 'data' and by inserting at the end of subsection 2 the following: 'The technical assistance meeting shall take place within 30 days subsequent to receipt of the letter of intent, unless waived in writing by both parties.'
18 19 20 21 22 23 24 25	Further amend the bill in section 2, in subsection 3, paragraph A, subparagraph (1), in the last line (page 2, line 36 in L.D.) by inserting after the striken out word "request" the following: '. Applicants must submit additional information requested by the department within 30 business days or within a longer period of time, provided that the department and the applicant agree'
26 27	Further amend the bill by inserting after section $\mbox{3}$ the following:
28 29	'Sec. 1. 22 MRSA §308, sub-§5 is enacted to read:
30 31 32 33 34	5. Provision for expedited administrative reviews. The department shall promulgate rules by January 1, 1988, to create a procedure for administrative reviews for at least the replacement of major medical equipment.
35 36	Sec. 4. 22 MRSA §309, sub-§6, as amended by PL 1985, c. 661, §6, is further amended to read:

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#### COMMITTEE AMENDMENT "A" to S.P. 483, L.D. 1460

6. Hospital projects. Notwithstanding subsections 1,  $\overline{4}$  and 5, the department may not issue a cer-2 3 tificate of need for a project which is subject to 4 the provisions of section 396-D, subsection 5, and 5 section 396-K, if the associated costs exceed the 6 amount which the commission has determined will have been credited to the Certificate of Need Development 7 8 Account pursuant to section 396-K, after accounting 9 for previously approved projects. A project shall 10 not be denied solely on the basis of exceeding the remaining in the Certificate of Need Develop-11 amount ment Account or Hospital Development Account in a 12 13 particular payment year and shal $\bar{l}$  be held for further 14 consideration by the department in the first appro-15 priate review cycle beginning after the Certificate 16 of Need Development Account or Hospital Development 17 Account is credited with additional amounts. Projects 18 which are carried forward shall compete equally with 19 newly proposed projects. For the purposes of this 20 subsection, a project may be held for a final decision beyond the time frames set forth in section 307, 21 subsections 3 and 4. 22

Further amend the bill by renumbering the sections to read consecutively.

#### 25 STATEMENT OF FACT

This amendment requires the technical assistance meeting to be held within 30 days of receipt of the letter of intent, unless waived by both parties. It also requires the applicant to respond to the first request for additional information within 30 working days.

In addition, it requires hospital projects which are carried forward to the next appropriate review cycle to compete equally with all projects in that review cycle.

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### COMMITTEE AMENDMENT "A" to S.P. 483, L.D. 1460

Finally, the amendment provides for expedited administrative review of certificate of need applications, at least for major medical equipment.

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Reported by Senator Gauvreau for the Committee on Human Resources. Reproduced and Distributed Pursuant to Senate Rule 12.  $(6/10/87) \hspace{1.5cm} (\text{Filing No. S-159})$