

# MAINE STATE LEGISLATURE

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L.D. 2191

(Filing No. H- 744)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
113TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A " to S.P. 845, L.D. 2191, Bill, "AN ACT to Make Interim Adjustments in the Certificate of Need Development Account."

Amend the amendment by striking out everything after the title and inserting in its place the following:

'Amend the bill by striking out everything after the title and inserting in its place the following:

'Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §309, sub-§7 is enacted to read:

7. Development account adjustments. Prior to the end of a payment year cycle and before or after the completion of a competitive review cycle for hospital projects, the department may recommend an interim adjustment, pursuant to section 396-K, subsection 5, to the amount credited to the statewide component of the Hospital Development Account for hospital projects of such urgent need or compelling benefit that, in the opinion of the commissioner, they should not be deferred to a subsequent review cycle. The department shall submit the recommendation, together with an analysis of the debits that would be associated with

1 these projects and data supporting the urgent need or  
2 compelling benefit from the projects. Nothing in the  
3 subsection may be construed to require the department  
4 to request an adjustment in the Hospital Development  
5 Account.

6 Sec. 2. 22 MRSA §396-K, sub-§5 is enacted to  
7 read:

8 5. Interim adjustments. At any time during the  
9 course of a payment year cycle, by means of amendment  
10 of the rule establishing the credit to the Hospital  
11 Development Account for that cycle, the commission may  
12 adjust the amount credited to the statewide component  
13 of the Hospital Development Account. The department  
14 may recommend an adjustment under this subsection.  
15 If, upon the recommendation of the department, the  
16 commission concludes that it is likely that the amount  
17 available in the statewide component of the Hospital  
18 Development Account will be insufficient to permit the  
19 implementation of projects that are of such urgent  
20 need or compelling benefit to the citizens of this  
21 State that they should not be deferred until the next  
22 payment year cycle, the commission shall consider  
23 whether to adjust the Hospital Development Account by  
24 an amount sufficient to permit the implementation of  
25 those projects. In considering such an adjustment,  
26 the commission shall apply all of the criteria set  
27 forth in subsection 3, paragraph A. The provision of  
28 subsection 3, paragraph B, shall not apply to an  
29 interim adjustment made by the commission under this  
30 subsection.'

31 STATEMENT OF FACT

32 This amendment replaces the proposed legislative  
33 increase to the Hospital Development Account. It  
34 establishes a procedure for the Department of Human  
35 Services to recommend an interim adjustment to the  
36 amount debited to the Hospital Development Account to  
37 allow projects of urgent need or compelling benefit to

HOUSE AMENDMENT " <sup>A</sup> " to COMMITTEE AMENDMENT "A " to  
S.P. 845, L.D. 2191

1 be approved without waiting for a later review cycle.  
2 The amendment also provides for review of those  
3 recommendations by the Maine Health Care Finance  
4 Commission.

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Filed by Rep. Manning of Portland  
Reproduced and distributed under the direction of the Clerk of the  
House  
4/18/88 (Filing No. H-744)