

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1051, L.D. 1524, Bill, "An Act to Extend the Certificate of Need Program to All Major Medical Equipment"

Amend the bill in section 3 by striking out all of the amending clause (page 1, lines 21 and 22 in L.D.) and inserting in its place the following:

'Sec. 3. 22 MRSA §396-K, sub-§3, as amended by PL 1991, c. 84, §3, is further amended to read:'

Further amend the bill in section 3 in subsection 3 by striking out all of paragraph F (page 3, lines 13 to 46 in L.D.) and inserting in its place the following:

'F. Debits and carry-overs are must be determined as follows.

(1) Except as provided in subparagraph (2), the commission shall debit against the Hospital Certificate of Need Development Account the full amount of the incremental annual capital and operating costs associated with each project for which an adjustment is approved under paragraph C and with each project for which certificate of need approval has been granted pursuant to section 304-A, subsection 2. Incremental annual capital and operating costs are must be determined in the same manner as adjustments to financial requirements are determined under section 396-D, subsection 5, for the 3rd year of implementation of the project projects subject to such an adjustment. For acquisitions of equipment by persons other than hospitals, incremental annual capital and operating costs must be determined in a manner consistent with the manner in which project costs are determined for hospitals.

2 (2) In the case of a project which that is approved
4 under paragraph C and which that involves extraordinary
6 incremental annual capital and operating costs, the
8 commission may, in accordance with duly promulgated
rules, defer the debiting of a portion of the annual
costs associated with the project until a subsequent
payment year cycle or cycles.

10 (3) Amounts credited to the Hospital Certificate of
12 Need Development Account for which there are no debits
14 are must be carried forward to subsequent payment year
cycles as a credit.'

16 **STATEMENT OF FACT**

18 This amendment is being presented on behalf of the Committee
20 on Bills in Second Reading to update a history and to prevent a
22 conflict by incorporating changes made to the Maine Revised
Statutes, Title 22, section 396-K, subsection 3, paragraph F that
occurred in Public Law 1991, chapter 84.

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Filed by Rep. Tammaro of Baileyville
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House
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