

MAINE STATE LEGISLATURE

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A. B. S.

L.D. 2225

DATE: 2-8-00

(Filing No. H-786)

BANKING AND INSURANCE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1578, L.D. 2225, Bill, "An Act to Permit Certain Referrals by Health Care Practitioners"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 22 MRSA §2085, sub-§2, as enacted by PL 1993, c. 308, §1, is amended by amending the first paragraph to read:

2. Exemption. Referrals by a health care practitioner are exempt from this chapter if the bureau determines that there is demonstrated need in the community for the facility and alternative financing is not available. A health care practitioner does not have to demonstrate a need for alternative financing if the practitioner has sufficient financial resources in the provider's practice without seeking financing from outside sources other than conventional bank loans. Demonstrated need in the community for the facility exists when:

Sec. 2. 22 MRSA §2085, sub-§2, ¶A, as enacted by PL 1993, c. 308, §1, is amended to read:

A. There is no facility of reasonable quality that provides an appropriate service, or the bureau determines that the quality of health care services would be improved in the community, such as by providing new specialty or subspecialty services without increasing overall health care costs and utilization above levels likely to occur if such an exemption were not granted;'

Further amend the bill by inserting at the end before the summary the following:

ANS

FISCAL NOTE

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This bill may decrease the number of civil violations filed in the court system. The Judicial Department may realize some minor savings from reductions of workload and administrative costs associated with the minimal number of cases that will no longer be filed. Reductions in the collection of fines may decrease General Fund revenue by minor amounts.

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The Bureau of Insurance within the Department of Professional and Financial Regulation will incur some minor additional costs to revise its rules. These costs can be absorbed within the bureau's existing budgeted resources.'

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SUMMARY

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This amendment allows a health care practitioner to refer patients to another health care practitioner in a group practice or health care facility in which the referring health care practitioner has invested when there is a demonstrated need for the facility in the community. The amendment specifies that demonstrated need for the facility exists when the quality of health care services in the community would be improved, such as when the facility provides new specialty or subspecialty services.

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The amendment also adds a fiscal note to the bill.