

MAINE STATE LEGISLATURE

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MINORITY

L.D. 1819

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INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 735, L.D. 1819, Bill, "An Act To Implement the Recommendations of the Advisory Council on Health Systems Development Relating to Payment Reform"

Amend the bill by inserting after section 5 the following:

'Sec. 6. 22 MRSA §1844, sub-§4, ¶D, as enacted by PL 2005, c. 670, §1 and affected by §4, is amended to read:

D. This paragraph applies with regard to a public hearing.

(1) The department may hold a public hearing when it determines a public hearing is appropriate.

(2) The department shall hold a public hearing at the request of the Attorney General or if 5 or more persons who are residents of the State and who are from the health service area to be served by the applicant request, in writing, that a hearing be held. A request under this subparagraph must be received by the department no later than 30 days after publication of the notice under subsection 3.

(3) If a public hearing is held, an electronic or stenographic record of the public hearing must be kept as part of the record of the application by the department.

Sec. 7. 22 MRSA §1844, sub-§4, ¶F, as enacted by PL 2005, c. 670, §1 and affected by §4, is amended to read:

F. The department shall issue a final decision to grant or deny an application for a certificate of public advantage under this section no less than 40 days and no more than 90 120 days after the filing of the application. The department shall issue a preliminary decision at least 5 days prior to issuing the final decision. The preliminary and final decisions must be in writing and set forth the basis for the decisions. The department shall provide copies of the preliminary and final decisions to the applicants, the Office of the Attorney General, the Governor's Office of Health

COMMITTEE AMENDMENT

1 Policy and Finance and all persons who requested notification from the department
2 under subsection 3, paragraph B.'

3 Amend the bill in section 6 by striking out all of the last paragraph (page 2, lines 21
4 to 32 in L.D.) and inserting the following:

5 'The council shall consult with the Attorney General and the Department of
6 Professional and Financial Regulation, Bureau of Insurance for technical expertise. The
7 council shall submit to the joint standing committee of the Legislature having jurisdiction
8 over health and human services matters and the joint standing committee of the
9 Legislature having jurisdiction over insurance and financial services matters a
10 preliminary report outlining suggested legislation no later than December 1, 2010. The
11 council shall submit a report that includes its findings and recommendations, including
12 suggested legislation, for presentation to the joint standing committee of the Legislature
13 having jurisdiction over health and human services matters and the joint standing
14 committee of the Legislature having jurisdiction over insurance and financial services
15 matters no later than January 15, 2011.'

16 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
17 section number to read consecutively.

18 **SUMMARY**

19 This amendment is the minority report of the committee. The amendment adds 2
20 provisions to the bill to amend the process under the Hospital and Health Care Provider
21 Cooperation Act. The amendment extends the time period for the Department of Health
22 and Human Services to make a final decision on an application for a certificate of public
23 advantage from 90 days to 120 days and adds a requirement that the department must
24 hold a hearing on an application at the request of the Attorney General.

25 The amendment removes from the bill language limiting the scope of the Advisory
26 Council on Health Systems Development's consultation with the Attorney General and
27 the Department of Professional and Financial Regulation, Bureau of Insurance for
28 technical expertise. The amendment removes from the bill language authorizing a
29 legislative committee to introduce a bill to the 125th Legislature. The amendment
30 requires the Advisory Council on Health Systems Development to submit a preliminary
31 report outlining suggested legislation no later than December 1, 2010.

FISCAL NOTE REQUIRED
(See attached)



124th MAINE LEGISLATURE

LD 1819

LR 2645(03)

An Act To Implement the Recommendations of the Advisory Council on Health Systems Development Relating to Payment Reform

Fiscal Note for Bill as Amended by Committee Amendment "B"

Committee: Insurance and Financial Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

The additional cost to the Department of the Attorney General, the Department of Health and Human Services and the Bureau of Insurance in the Department of Professional and Financial Regulation can be absorbed utilizing existing budgeted resources.