

AMENDMENTS TO HOUSE BILL NO. 2344

Sponsor: SENATOR BROOKS

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1 Amend Bill, page 1, lines 9 and 10, by striking out "health
2 systems protection" and inserting

3 Attorney General notification

4 Amend Bill, page 1, line 17, by striking out all of said line
5 and inserting

6 ATTORNEY GENERAL NOTIFICATION

7 Amend Bill, page 2, line 4, by striking out "ENTITY" where it
8 occurs the second time and inserting

9 person

10 Amend Bill, page 2, line 8, by striking out "person" and
11 inserting

12 health care facility

13 Amend Bill, page 2, line 9, by striking out "person" and
14 inserting

15 health care facility

16 Amend Bill, page 2, line 22, by striking out "person" and
17 inserting

18 health care facility

19 Amend Bill, page 3, by inserting between lines 12 and 13
20 "Health care facility." As defined in section 103.

21 Amend Bill, page 3, lines 13 and 14, by striking out "equal
22 to \$10,000,000" in line 13 and all of line 14 and inserting

23 of the purchase price paid or total gross assets being
24 acquired, whichever is higher, of:

25 (1) \$10,000,000 in a solo transaction; or

1 (2) \$35,000,000 in the aggregate during one calendar
2 year.

3 Amend Bill, page 3, lines 21 and 22, by striking out "or
4 provider organization"

5 Amend Bill, page 4, lines 5 through 12, by striking out all
6 of said lines

7 Amend Bill, page 4, line 13, by striking out "Transactions
8 against public interest" and inserting
9 Notification

10 Amend Bill, page 4, lines 16 and 17, by striking out "a
11 health system or provider" in line 16 and all of line 17 and
12 inserting

13 another health care facility unless the first health care
14 facility complies with the notification requirements under this
15 chapter.

16 Amend Bill, page 4, line 23, by striking out "system or
17 provider organization" and inserting
18 care facility

19 Amend Bill, page 4, lines 24 and 25, by striking out "(c) and
20 shall observe the waiting period under subsection"

21 Amend Bill, page 5, line 10, by striking out "ninety" and
22 inserting

23 forty-five

24 Amend Bill, page 5, lines 12 and 13, by striking out "as may
25 be prescribed under" in line 12 and all of line 13 and inserting
26 if extended as prescribed under subsection (d).

27 Amend Bill, page 5, lines 18 through 30; page 6, lines 1
28 through 30; page 7, lines 1 through 25; by striking out all of
29 lines 18 through 30 on page 5, all of lines 1 through 30 on page
30 6, all of lines 1 through 24 and "the waiting period under
31 subsection (b)," in line 25 on page 7 and inserting

1 information required under 15 U.S.C. § 18a (relating to
2 premerger notification and waiting period) and regulations
3 promulgated under the law.

4 (c) Additional information.--The Attorney General may

5 Amend Bill, page 7, line 27, by striking out "person" and
6 inserting

7 health care facility

8 Amend Bill, page 7, line 28, by striking out "(c)" and
9 inserting

10 (b)

11 Amend Bill, page 7, line 30, by striking out "person" and
12 inserting

13 health care facility

14 Amend Bill, page 8, lines 1 through 14, by striking out all
15 of lines 1 through 13 and "(e)" in line 14 and inserting

16 (d)

17 Amend Bill, page 8, by inserting between lines 17 and 18

18 (e) Confidentiality of and restrictions on use of
19 materials.--The Attorney General may not use, as grounds for
20 prosecutions or civil actions unrelated to the transaction,
21 materials provided to or disclosed under this act to the
22 Attorney General.

23 Amend Bill, page 8, lines 19 through 21, by striking out
24 "Prior to the expiration of the respective" in line 19, all of
25 line 20 and "granted under section 803-C(d)," in line 21 and
26 inserting

27 Prior to the expiration of the respective waiting period
28 under Federal law, along with any extension granted under
29 Federal law,

30 Amend Bill, page 8, line 21, by striking out "shall" and
31 inserting

32 may

33 Amend Bill, page 8, line 24, by striking out "required"

34 Amend Bill, page 8, line 30; page 9, line 1; by striking out

1 "provider organization or a hospital or" in line 30 on page 8
2 and "hospital system" in line 1 on page 9 and inserting
3 health care facility

4 Amend Bill, page 9, line 1, by striking out "shall" and
5 inserting
6 may

7 Amend Bill, page 9, lines 8 and 9, by striking out "At least
8 14 days before the date of the public hearing, the" and
9 inserting

10 The
11 Amend Bill, page 9, lines 25 through 28, by striking out "No
12 later than the final date of" in line 25, all of lines 26 and 27
13 and "the" in line 28 and inserting

14 The
15 Amend Bill, page 9, line 30; pages 10 and 11, lines 1 through
16 30; page 12, lines 1 through 9; by striking out "interest, after
17 reviewing and" in line 30 on page 9, all of lines 1 through 30
18 on pages 10 and 11, all of lines 1 through 8 and "determines to
19 be in the public" in line 9 on page 12

20 Amend Bill, page 13, line 9, by striking out "PERSON" and
21 inserting
22 health care facility

23 Amend Bill, page 13, line 10, by striking out "PERSON" and
24 inserting
25 health care facility

26 Amend Bill, page 13, line 11, by striking out "SECTION 803-
27 C(A)" and inserting

28 this chapter

29 Amend Bill, page 13, line 13, by striking out "SECTION 803-
30 C(D)" and inserting

1 this chapter

2 Amend Bill, page 13, lines 14 and 15, by striking out "ALONG
3 WITH ANY EXTENSION GRANTED UNDER SECTION 803-C(D),"

4 Amend Bill, page 13, line 30; pages 14 and 15, lines 1
5 through 30; page 16, line 1; by striking out all of line 30 on
6 page 13, all of lines 1 through 30 on pages 14 and 15 and "(c)"
7 in line 1 on page 16 and inserting

8 (b)

9 Amend Bill, page 16, lines 7 and 8, by striking out "shall
10 comply with any request for information from" and inserting

11 may share information with

12 Amend Bill, page 16, line 8, by inserting after "be"

13 permissibly

14 Amend Bill, page 16, lines 14 and 15, by striking out "exempt
15 from public access" and inserting

16 not public records subject to copying and duplication

17 Amend Bill, page 16, by inserting between lines 16 and 17

18 Section 808-C. Nonapplicability.

19 This chapter does not apply to a physician or psychiatric
20 practice, whether a sole proprietorship, partnership, foundation
21 or corporate entity of any kind.

22 Section 809-C. Expiration.

23 This act shall expire four years after the effective date of
24 this section.

25 Section 810-C. Study and report by Health Care Cost Containment
26 Council.

27 Within three years of the effective date of this section, the
28 Health Care Cost Containment Council, as authorized under 35
29 Pa.C.S. § 3309 (relating to special studies and reports), shall
30 perform a study on the effects of this act and shall report its
31 findings to the chairperson and minority chairperson of the
32 Health and Human Services Committee of the Senate and the
33 chairperson and minority chairperson of the Health Committee of
34 the House of Representatives.

35 Amend Bill, page 16, line 17, by striking out "808-C" and
36 inserting

37 811-C

1 Amend Bill, page 16, line 30, by striking out "809-C" and
2 inserting
3 812-C
4 Amend Bill, page 17, line 2, by striking out "person" and
5 inserting
6 health care facility