1	L.D. 743			
2	Date: (Filing No. H- )			
3	HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES			
4	Reproduced and distributed under the direction of the Clerk of the House.			
5	STATE OF MAINE			
6	HOUSE OF REPRESENTATIVES			
7	132ND LEGISLATURE			
8	FIRST SPECIAL SESSION			
9 10 11	COMMITTEE AMENDMENT " "to H.P. 485, L.D. 743, "An Act to Increase the Availability and Affordability of Health Care by Eliminating Certificate of Need Requirements"			
12	Amend the bill by striking out all of section 11 and inserting the following:			
13 14	'Sec. 11. 24-A MRSA §4303-F, sub-§1, ¶E, as amended by PL 2025, c. 34, §1 and affected by §2, is further amended to read:			
15 16 17 18 19 20 21	E. A carrier may not require a ground ambulance service provider to obtain prior authorization before transporting an enrollee to a hospital, between hospitals or from a hospital to a nursing home, hospice care facility or other health care facility, as defined in Title 22, section 328, subsection 8. A carrier may not require an air ambulance service provider that is a nonprofit organization to obtain prior authorization before transporting an enrollee to a hospital or between hospitals for urgent care. For the purposes of this paragraph, the following terms have the following meanings.			
22 23 24 25	(1) "Ambulatory surgical facility" means a facility, not part of a hospital, that provides surgical treatment to patients not requiring hospitalization. "Ambulatory surgical facility" does not include the offices of private physicians or dentists, whether in individual or group practice.			
26 27 28 29 30 31 32 33 34	(2) "Health care facility" means a hospital, psychiatric hospital, nursing facility, kidney disease treatment center including a freestanding hemodialysis facility, rehabilitation facility, ambulatory surgical facility, independent radiological service center, independent cardiac catheterization center or cancer treatment center. "Health care facility" does not include the office of a private health care practitioner, as defined in Title 24, section 2502, subsection 1-A, whether in individual or group practice. In an ambulatory surgical facility that functions also as the office of a health care practitioner, the following portions of the ambulatory surgical facility are considered to be a health care facility:			
35	(a) Operating rooms;			
36	(b) Recovery rooms;			

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1	(c) Waiting areas for ambulatory surgical facility	patients;	
2	(d) Any space with major medical equipment; and	<u>d</u>	
3 4	(e) Any other space used primarily to support the surgical facility.	activities of the	e ambulatory
5 6 7 8	(3) "Health services" means clinically related se treatment, rehabilitative services or nursing services properties includes alcohol or drug dependence mental health services.	rovided by a nur	rsing facility.
9 10 11 12 13	(4) "Hospital" means an institution that primarily punder the supervision of physicians, diagnostic service for medical diagnosis, treatment and care of persons sick or rehabilitation services for the rehabilitation of disabled or sick. "Hospital" also includes psychiatric and services for the rehabilitation of disabled or sick.	ces and therape who are injured of persons who	eutic services d, disabled or o are injured,
14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29	(5) "Major medical equipment" means a single unit single system of components with related functions to other health services that costs \$3,200,000 or more. does not include medical equipment acquired by laboratory to provide clinical laboratory services i independent of a physician's office and a hospital and the requirements of the United States Social Securit 1861(s)(10 and 11). In determining whether medical the threshold provided in this subparagraph, the cost plans, working drawings, specifications and other act the equipment must be included. If the equipment is market value, the cost includes the fair market value review must be updated by the commissioner to reflect Price Index for medical care services as reported by the of Labor, Bureau of Labor Statistics, with an effectingear.	sed to provide "Major medica or on behalf of the clinical has been detern y Act, Title X equipment cos of studies, surv ivities essential a acquired for the change in the	medical and l equipment" of a clinical laboratory is nined to meet VIII, Section at more than eys, designs, to acquiring less than fair d amount for the Consumer is Department
30 31 32 33 34	(6) "Nursing facility" means any facility defined under (7) "Rehabilitation facility" means an inpatient facility primary purpose of assisting in the rehabilitation of through an integrated program of medical services provided under competent professional supervision.	lity that is ope f persons who	erated for the are disabled
35	Amend the bill by inserting after section 19 the following:	:	
36 37	'Sec. 20. Appropriations and allocations. The for allocations are made.	ollowing approp	priations and
38	HEALTH AND HUMAN SERVICES, DEPARTMENT O	F	
39	Division of Licensing and Certification Z036		
40 41	Initiative: Deallocations from the elimination of one Senior Hoposition and the loss of the certificate of need application fee		ncial Analyst
42	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27

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1 2 3	POSITIONS - LEGISLATIVE COUNT Personal Services All Other	(1.000) (\$150,270) (\$137,558)	(1.000) (\$154,294) (\$137,651)		
4 5	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$287,828)	(\$291,945)		
6 7	Medical Care - Payments to Providers 0147  Initiative: Provides funding due to the elimination of the certificate of need process.				
8	GENERAL FUND	2025-26	2026-27		
9 10	All Other	\$423,796	\$425,886		
11 12	GENERAL FUND TOTAL	\$423,796	\$425,886		
13 14 15	FEDERAL EXPENDITURES FUND All Other	<b>2025-26</b> \$676,400	<b>2026-27</b> \$674,310		
16	FEDERAL EXPENDITURES FUND TOTAL	\$676,400	\$674,310		
17	Nursing Facilities 0148				
18	Initiative: Provides funding due to the elimination of the	e certificate of need	process.		
19 20 21	GENERAL FUND All Other	<b>2025-26</b> \$4,123,579	<b>2026-27</b> \$4,147,671		
21 22 23	GENERAL FUND TOTAL	\$4,123,579	\$4,147,671		
24 25 26	FEDERAL EXPENDITURES FUND All Other	<b>2025-26</b> \$7,795,745	<b>2026-27</b> \$7,771,653		
27 28	FEDERAL EXPENDITURES FUND TOTAL	\$7,795,745	\$7,771,653		
29 30 31	OTHER SPECIAL REVENUE FUNDS All Other	<b>2025-26</b> \$760,808	<b>2026-27</b> \$760,808		
31 32 33	OTHER SPECIAL REVENUE FUNDS TOTAL	\$760,808	\$760,808		
34 35	HEALTH AND HUMAN SERVICES, DEPARTMENT OF	2027.26	•0•6•		
36 37	DEPARTMENT TOTALS	2025-26	2026-27		
38 39 40	GENERAL FUND FEDERAL EXPENDITURES FUND OTHER SPECIAL REVENUE FUNDS	\$4,547,375 \$8,472,145 \$472,980	\$4,573,557 \$8,445,963 \$468,863		
41 42	DEPARTMENT TOTAL - ALL FUNDS	\$13,492,500	\$13,488,383		

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## **COMMITTEE AMENDMENT**

(See attached)

COMMITTEE AMENDMENT " "to H.P. 485, L.D. 743

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