

§371. Definitions**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)****(WHOLE SECTION TEXT EFFECTIVE 1/01/27)**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

1. Carrier. "Carrier" has the same meaning as in Title 24-A, section 4301-A, subsection 3. [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

2. Health care entity. "Health care entity" means a health care provider, a health care facility or a provider organization. "Health care entity" does not include a nursing facility as defined by section 328, subsection 18 or a health care provider or provider organization that provides only dental services. [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

3. Health care facility. "Health care facility" means a licensed institution providing health care services or a health care setting, including, but not limited to, hospitals and other licensed inpatient facilities; health systems consisting of one or more health care entities that are jointly owned or managed; ambulatory surgical or treatment centers; residential treatment centers; diagnostic, laboratory and imaging centers; freestanding emergency facilities; outpatient clinics; and rehabilitation and other therapeutic health settings. [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

4. Health care provider. "Health care provider" means a person, corporation, partnership, governmental unit, state institution, medical practice or other entity qualified or licensed under state law to perform or provide health care services to persons in the State. [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

5. Health care services. "Health care services" means services and payments for the care, prevention, diagnosis, treatment, cure or relief of a medical, dental or behavioral health condition, illness, injury or disease, including, but not limited to:

A. Inpatient, outpatient, habilitative, rehabilitative, dental, palliative, therapeutic, supportive, home health or behavioral services provided by a health care entity; [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

B. Pharmacy services, either retail or specialty, and any drugs, medical devices or medical supplies; [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

C. Performance of functions to refer, arrange or coordinate care; [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

D. The use of equipment such as durable medical equipment, diagnostic equipment, surgical devices or infusion equipment; or [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

E. Technology associated with the provision of services or equipment in paragraphs A to D, such as telehealth, electronic health records, software, claims processing or utilization systems. [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

[PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

6. Management services organization. "Management services organization" means any organization or entity owned or controlled by a private equity company or hedge fund that contracts with a health care provider or provider organization to perform management or administrative services relating to, supporting or facilitating the provision of health care services when the health care provider or provider organization is also owned or controlled by the same private equity company or hedge fund. [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

7. Material change transaction. "Material change transaction" means the acquisition of a majority interest or operational control of a health care entity within the State occurring during a single transaction or in a series of related transactions by a private equity company, hedge fund or management services organization.

[PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

8. Medical practice. "Medical practice" means a corporate entity or partnership organized for the purpose of practicing medicine and permitted to practice medicine in the State, including, but not limited to, partnerships, professional corporations, limited liability companies and limited liability partnerships.

[PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

9. Operational control. "Operational control" means the power to:

A. Influence or direct the actions or policies of any part of a health care entity; or [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

B. Choose, appoint or terminate a member of a board, manager, managing member, senior employee, consultant or other individual or entity that participates in the operational oversight of a health care entity. [PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

[PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

10. Private equity company. "Private equity company" means an entity that collects capital investments from individuals or entities and purchases, as a parent entity or through another entity that the entity completely or partially owns or controls, a direct or indirect ownership share of a health care provider, provider organization or management services organization, except that "private equity company" does not include venture capital entities exclusively funding start-ups or other early-stage businesses.

[PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

11. Provider organization. "Provider organization" means any corporation, partnership, business trust, association or organized group of persons that is in the business of health care delivery or management, whether incorporated or not, that represents one or more health care providers in contracting with carriers for the payment of health care services. "Provider organization" includes, but is not limited to, physician organizations, physician-hospital organizations, independent practice associations, health care provider networks, accountable care organizations and management services organizations and any other organization that contracts with carriers for payment for health care services.

[PL 2025, c. 690, §1 (NEW); PL 2025, c. 690, §3 (AFF).]

SECTION HISTORY

PL 2025, c. 690, §1 (NEW). PL 2025, c. 690, §3 (AFF).

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