

§8710-A. Ownership and control of health care entities**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)****(WHOLE SECTION TEXT EFFECTIVE 1/01/27)**

1. Definitions. For the purposes of this section, unless the context otherwise indicates, all terms have the same meanings as in section 371 and "affiliate" means:

A. A person, entity or organization that directly, indirectly or through one or more intermediaries controls, is controlled by or is under common control or ownership with another person, entity or organization; [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

B. A person whose business is operated under a lease, management or operating agreement by another entity or a person substantially all of whose property is operated under a management or operating agreement with that other entity; [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

C. An entity that operates the business or substantially all the property of another entity under a lease, management or operating agreement; or [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

D. Any out-of-state operations and corporate affiliates of an affiliate as defined in paragraph A, B or C, including significant equity investors, real estate investment trusts and management services organizations. [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

[PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

2. Reporting of ownership and control of health care entities. A health care entity shall report to the organization once no later than July 1, 2027 and subsequently upon the completion of a material change transaction involving the health care entity in a form and manner required by the organization the following information:

A. The legal name of the health care entity; [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

B. The business address of the health care entity; [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

C. Locations of operations of the health care entity; [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

D. The business identification numbers of the health care entity, as applicable, including:

(1) Taxpayer identification number;

(2) National provider identifier;

(3) Employer identification number; and

(4) United States Department of Health and Human Services, Centers for Medicare and Medicaid Services certification number; [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

E. The name and contact information of a representative of the health care entity; [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

F. A current organizational chart showing the business structure of the health care entity, including affiliates and subsidiaries; and [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

G. For a health care entity that is a hospital:

(1) The affiliated health care providers identified by name, license type, specialty, national provider identifier and any other applicable identification number described in paragraph D; the address of the principal practice location; and whether the affiliated health care provider is employed or contracted by the health care entity; and

(2) The name and address of affiliated health care facilities by license number, license type and capacity in each major service area. [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

[PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

3. Exceptions. The following health care entities are exempt from the reporting requirements under subsection 2:

A. A health care entity that is an independent provider organization, without any ownership or control entities, consisting of 6 or fewer individual providers; and [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

B. A health care provider or provider organization that is owned or controlled by another health care entity, if the health care provider or provider organization is shown in the organizational chart submitted under subsection 2, paragraph F and the controlling health care entity reports all the information required under subsection 2 on behalf of the controlled or owned entity, except that health care facilities are not subject to this exception. [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

[PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

4. Sharing of ownership information to improve transparency. This subsection governs the sharing of ownership information to improve transparency.

A. Information provided under this subsection is public information and may not be considered confidential, proprietary or a trade secret, except that any individual health care provider's taxpayer identification number that is also their social security number and any business identification number of a health care entity listed in subsection 2, paragraph D is confidential. [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

B. No later than January 1, 2029 and annually thereafter, the organization shall post on a publicly accessible website a report with respect to the previous one-year period, including:

(1) The number of health care entities reporting for that previous one-year period, disaggregated by the business structure of each specified health care entity;

(2) The name, address and business structure of any health care entity;

(3) Any change in ownership or control for each health care entity;

(4) In accordance with paragraph A, any change in the tax identification number of a health care entity; and

(5) As applicable in accordance with subsection 2, paragraph G, the name, address, tax identification number and business structure of affiliates and subsidiaries of a health care entity that is a hospital, including the business type and the tax identification number of each. [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

C. The organization may share information reported under this section with the Office of Affordable Health Care, the Attorney General, other state agencies and other state officials to reduce or avoid duplication in reporting requirements or to facilitate oversight or enforcement pursuant to the laws of the State, except that any tax identification numbers that are individual social security numbers may be shared only with other state agencies or other state officials that agree to maintain the confidentiality of such information. [PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

[PL 2025, c. 690, §2 (NEW); PL 2025, c. 690, §3 (AFF).]

SECTION HISTORY

PL 2025, c. 690, §2 (NEW). PL 2025, c. 690, §3 (AFF).

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