

Bill No. SB 1374



459408

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/5/2008	.	
	.	
	.	

1 The Committee on Health Regulation (Jones recommended the
 2 following **amendment**:

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 4 **Senate Amendment (with title amendment)**

5 Between line(s) 356 and 357,
 6 insert:

7 (9) The agency may not issue an initial license to a home
 8 health agency licensure applicant if the applicant shares common
 9 controlling interests with another licensed home health agency
 10 that is located within 20 miles of the applicant. The agency
 11 must return the application and fees to the applicant.

12 (10) An application for a home health agency license may
 13 not be transferred to another home health agency or controlling
 14 interest prior to issuance of the license.



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15 (11) A licensed home health agency that seeks to relocate
 16 to a different geographic service area not listed on its license
 17 must submit an initial application for a home health agency
 18 license for the new location.

19 (12) When an applicant alleges that a factual
 20 determination made by the agency is incorrect, the burden of
 21 proof is on the applicant to demonstrate that such determination
 22 is, in light of the total record, not supported by the
 23 preponderance of the evidence.

24
 25
 26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On line 16, after the semicolon,
 29 insert:

30 prohibits the agency from issuing an initial license to a
 31 home health agency licensure applicant located within 20
 32 miles of a licensed home health agency that has common
 33 controlling interests; prohibits transferring an
 34 application to another home health agency; requires
 35 submission of an initial application to relocate a
 36 licensed home health to another geographic service area;
 37 imposes the burden of proof on an applicant to demonstrate
 38 that a factual determination made by the agency is not
 39 supported by a preponderance of the evidence;