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CHAMBER ACTION

Senate

House

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Floor: 1/AD/3R
4/16/2008 10:32 AM

1 Senator Peaden moved the following **amendment**:

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3 **Senate Amendment**

4 Delete line(s) 119-123

5 and insert:

6 discharges. If, subsequent to issuance of a final order approving
7 the certificate of need, the proposed location of the general
8 hospital changes or the primary service area materially changes,
9 the agency shall revoke the certificate of need. However, if the
10 agency determines that such changes are deemed to enhance access
11 to hospital services in the service district, the agency may
12 permit such changes to occur. A party participating in the
13 administrative hearing regarding the issuance of the certificate
14 of need for a general hospital has standing to participate in any
15 subsequent proceeding regarding the revocation of the certificate
16 of need for a hospital for which the location has changed or for
17 which the primary service area has materially changed. In



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18 addition, the application for the certificate of need for a
19 general hospital must include a statement of intent that, if
20 approved by final order of the agency, the applicant shall within
21 120 days after issuance of the final order or, if there is an
22 appeal of the final order, within 120 days after the issuance of
23 the court's mandate on appeal, furnish satisfactory proof of the
24 applicant's financial ability to operate. The agency shall
25 establish documentation requirements, to be completed by each
26 applicant, which show anticipated provider revenues and
27 expenditures, the basis for financing the anticipated cash-flow
28 requirements of the provider, and an applicant's access to
29 contingency financing. A party participating in the
30 administrative hearing regarding the issuance of the certificate
31 of need for a general hospital may provide written comments
32 concerning the adequacy of the financial information provided,
33 but such party does not have standing to participate in an
34 administrative proceeding regarding proof of the applicant's
35 financial ability to operate. The agency may require a licensee
36 to provide proof of financial ability to operate at any time if
37 there is evidence of financial instability, including, but not
38 limited to, unpaid expenses necessary for the basic operations of
39 the provider.