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SENATE BILL NO. 337

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Norment)

on February 15, 2000)

(Patron Prior to Substitute—Senator Martin)

A BILL to require the establishment of a schedule for Virginia's transition to elimination of medical care facilities certificate of public need.

Be it enacted by the General Assembly of Virginia:

1. § 1. Transition required.

A transition for elimination of the requirements for determination of need pursuant to Article 1.1 (§ 32.1-102.1 et seq.) of Chapter 4 of Title 32.1 shall begin on July 1, 2001, and shall be completed by July 1, 2004, as directed by this act.

§ 2. Plan to be developed.

The deregulation required by § 1 above shall be accomplished in accordance with a plan to be developed by the Joint Commission on Health Care, in consultation with groups and organizations representing public and private health care providers and consumers and appropriate state agencies. Such plan shall be submitted for review and approval by the 2001 General Assembly.

§ 3. Components of Plan.

The Plan for deregulation to be developed by the Joint Commission on Health Care shall include, but need not be limited to, provisions for (i) meeting the health care needs of the indigent and uninsured citizens of the Commonwealth, with all health care providers sharing the burden of such care; (ii) providing adequate oversight of the various deregulated services to protect the public health and safety and promote the quality of services provided by deregulated medical facilities and projects; (iii) monitoring the effects of deregulation on the number and location of medical facilities and projects throughout the Commonwealth; (iv) recommending appropriate regulation of nursing homes, certified nursing facilities, intermediate care facilities, extended care facilities, long-term care facilities, and new hospitals with respect to requirements for determination of need; (v) recommending a schedule for necessary statutory changes to implement the plan and for requiring, subject to approval of the General Assembly, that the appropriate regulatory boards promulgate regulations implementing the Commission's plan prior to any deregulation recommended in the plan; and (vi) determining the effect of deregulation on the unique mission of academic medical centers.

§ 4. Fiscal impact.

In developing the plan, the Commission shall also consider the impact of deregulation on state-funded health care financing programs and shall include an examination of the fiscal impact of such deregulation on the market rates paid by such financing programs for health care and long-term care services.

2. That the provisions of § 1 of this act shall not become effective unless reenacted by the 2001 Session of the General Assembly.