

Amendment No. 430

Assembly Amendment to Assembly Bill No. 322

(BDR 40-1074)

Proposed by: Committee on Health and Human Services**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: No

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
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Amend section 1, page 1, line 1, by deleting “Title 40” and inserting “Chapter 439B”.

Amend section 1, page 1, line 2, by deleting:

“a new chapter to consist of”.

Amend section 1, page 1, line 3, by deleting “16,” and inserting “7,”.

Amend sec. 2, page 1, lines 6, 8, 10 and 17, before “*hospitals*” by inserting “*major*”.

Amend sec. 2, page 2, line 4, by deleting “*Hospitals*” and inserting “*Major hospitals*”.

Amend sec. 2, page 2, lines 5 and 7, after “*benefits*” by inserting:

“*and charity care*”.

Amend sec. 2, page 2, line 8, before “*hospitals*” by inserting “*major*”.

Amend sec. 2, page 2, by deleting line 9 and inserting:

“*every major hospital in this State shall provide community benefits and charity care in the*”.

JCB/SGW

Date: 4/21/2005

A.B. No. 322—Requires hospitals to adopt and carry out plans to benefit community.



Amend sec. 3, page 2, line 11, by deleting “*this chapter*” and inserting:

“*sections 2 to 7, inclusive, of this act,*”.

Amend sec. 3, page 2, line 12, by deleting:

“*4 to 9, inclusive,*” and inserting:

“*4, 5 and 6*”.

Amend the bill as a whole by deleting sec. 4 and renumbering sections 5 and 6 as sections 4 and 5.

Amend sec. 6, page 2, line 20, by deleting “*benefits*” and inserting:

“*benefits and charity care*”.

Amend sec. 6, page 2, line 21, before “*hospitals*” by inserting “*major*”.

Amend the bill as a whole by deleting sec. 7 and renumbering sec. 8 as sec. 6.

Amend the bill as a whole by deleting sections 9 through 16, renumbering sec. 17 as sec. 8 and adding a new section, designated sec. 7, following sec. 8, to read as follows:

“**Sec. 7. 1. Each major hospital shall:**

(a) Adopt a plan for the provision of community benefits and charity care during the following fiscal year; and

(b) For the fiscal year beginning on July 1, 2006 and for each succeeding fiscal year, provide community benefits and charity care, in that fiscal year, in an amount which represents at least 4 percent of the total operating revenue of the major hospital for that fiscal year.

2. On or before July 1 of each year, a major hospital shall submit to the Department a copy of:

(a) The plan for the provision of community benefits and charity care adopted by the major hospital pursuant to subsection 1;

(b) If the major hospital is a member or part of a system or company consisting of hospitals in more than one state, any plan for the provision of community benefits and charity care adopted by that system or company; and

(c) The policy and procedures established by the major hospital to ensure that the major hospital complies with the provisions of NRS 439B.260.

3. On or before November 1 of each year, a major hospital shall submit to the Division of Health Care Financing and Policy of the Department a report on the community benefits and charity care provided by the major hospital pursuant to the provisions of paragraph (b) of subsection 1 during the preceding fiscal year. Any care for indigent patients provided without charge by a major hospital in compliance with the provisions of NRS 439B.320 is to be included in the calculation of the amount of community benefits and charity care provided by the major hospital pursuant to the provisions of paragraph (b) of subsection 1.

4. The Division of Health Care Financing and Policy of the Department shall:

(a) If a major hospital fails to provide the community benefits and charity care required pursuant to the provisions of paragraph (b) of subsection 1, assess the major hospital with a civil penalty in an amount equal to the difference between the amount of community benefits and charity care the major hospital was required to provide and the amount of community benefits and charity care the major hospital actually provided.

(b) Inform the Attorney General of all cases of suspected noncompliance with the requirements of this section. The Attorney General may investigate any suspected noncompliance and enforce the provisions of this section.

5. Any money recovered pursuant to subsection 4 as a civil penalty must be deposited in the State General Fund.”.

Amend sec. 17, page 7, line 17, by deleting “Each” and inserting:

“1. Each major”.

Amend sec. 17, page 7, by deleting lines 18 and 19 and inserting:

“plan for the provision of community benefits and charity care pursuant to section 7 of this act on or before July 1, 2006.

2. In addition to the reports required pursuant to subsection 3 of section 7 of this act, on or before February 1, 2007, each major hospital shall submit to the Division of Health Care Financing and Policy of the Department of Human Resources and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature a report on the community benefits and charity care provided by the major hospital pursuant to the provisions of paragraph (b) of subsection 1 of section 7 of this act from July 1, 2006 to December 31, 2006, and the community benefits and charity care planned to be provided by the major hospital from January 1, 2007, to June 30, 2007.”.

Amend the title of the bill to read as follows:

“AN ACT relating to health care; requiring each major hospital to adopt a plan for providing community benefits and charity care; requiring each major hospital to provide a certain

amount of community benefits and charity care; providing a civil penalty; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Requires major hospitals to adopt and carry out plans to provide community benefits and charity care. (BDR 40-1074)”.