

# PROPOSED AMENDMENT

## SB 9 # 2

### DIGEST

Merger and acquisition reports. Amends the definition of "health care entity". Changes the time frame that certain health care entities are required to report a merger or acquisition from at least six months prior to the merger or acquisition to at least 90 days before the date of the merger or acquisition. Changes the reporting entity from specified members within the general assembly to the office of the attorney general. Requires the office of the attorney general to review the information submitted within 45 days from receipt of the notice. Allows the office of the attorney general to provide an analysis of any antitrust concerns with the merger or acquisition to the health care entity. Allows the office of the attorney general to issue a civil investigative demand to a health care entity submitting the notice for more information. Requires the information to be confidential.

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- 1 Page 1, delete lines 10 through 14.
- 2 Page 1, line 15, delete "(3)" and insert "**(2)**".
- 3 Page 2, line 16, delete "(4)" and insert "**(3)**".
- 4 Page 2, line 18, delete "(5)" and insert "**(4)**".
- 5 Page 2, line 20, delete "(6)" and insert "**(5)**".
- 6 Page 2, line 29, delete "six (6)" and insert "**ninety (90) days**".
- 7 Page 2, line 30, delete "months".
- 8 Page 2, line 31, delete "following:" and insert "**office of the**
- 9 **attorney general in a manner prescribed by the office of the**
- 10 **attorney general.**".
- 11 Page 2, delete lines 32 through 40.
- 12 Page 3, line 11, delete "individuals described in subsection (a)" and
- 13 insert "**office of the attorney general**".
- 14 Page 3, after line 14, begin a new paragraph and insert:
- 15 "**(d) Not later than forty-five (45) days from the submission of**
- 16 **a notice under subsection (a), the office of the attorney general:**
- 17 **(1) shall review the information submitted with the notice;**
- 18 **and**
- 19 **(2) may analyze in writing any antitrust concerns with the**
- 20 **merger or acquisition.**
- 21 **The office of the attorney general shall provide any written**
- 22 **analysis described in subdivision (2) to the person that submitted**

1       **the notice under subsection (a).**

2           **(e) The office of the attorney general may issue a civil**  
3       **investigative demand under IC 4-6-3 to a health care entity that**  
4       **has submitted a notice under this section for additional**  
5       **information.**

6           **(f) Any information received or produced by the office of the**  
7       **attorney general under this section is confidential."**

(Reference is to SB 9 as introduced.)