

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 2183, Page 1, Section 197.052, Line 4, by inserting after all of said section
2 and line the following:

3
4 "197.305. As used in sections 197.300 to 197.366, the following terms mean:

5 (1) "Affected persons", the person proposing the development of a new institutional health
6 service, the public to be served, and health care facilities within the service area in which the
7 proposed new health care service is to be developed;

8 (2) "Agency", the certificate of need program of the Missouri department of health and
9 senior services;

10 (3) "Capital expenditure", an expenditure by or on behalf of a health care facility which,
11 under generally accepted accounting principles, is not properly chargeable as an expense of
12 operation and maintenance;

13 (4) "Certificate of need", a written certificate issued by the committee setting forth the
14 committee's affirmative finding that a proposed project sufficiently satisfies the criteria prescribed
15 for such projects by sections 197.300 to 197.366;

16 (5) "Develop", to undertake those activities which on their completion will result in the
17 offering of a new institutional health service or the incurring of a financial obligation in relation to
18 the offering of such a service;

19 (6) "Expenditure minimum" shall mean:

20 (a) For beds in existing or proposed health care facilities licensed pursuant to chapter 198
21 and long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section
22 198.012, six hundred thousand dollars in the case of capital expenditures, or four hundred thousand
23 dollars in the case of major medical equipment, provided, however, that prior to January 1, 2003,
24 the expenditure minimum for beds in such a facility and long-term care beds in a hospital described
25 in section 198.012 shall be zero, subject to the provisions of subsection 7 of section 197.318;

26 (b) For beds or equipment in a long-term care hospital meeting the requirements described
27 in 42 CFR, Section 412.23(e), the expenditure minimum shall be zero; and

28 (c) For health care facilities, new institutional health services or beds not described in
29 paragraph (a) or (b) of this subdivision one million dollars in the case of capital expenditures,
30 excluding major medical equipment, and one million dollars in the case of medical equipment;

31 (7) "Health service area", a geographic region appropriate for the effective planning and
32 development of health services, determined on the basis of factors including population and the
33 availability of resources, consisting of a population of not less than five hundred thousand or more
34 than three million;

35 (8) "Major medical equipment", medical equipment used for the provision of medical and
36 other health services;

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1 (9) "New institutional health service":

2 (a) The development of a new health care facility costing in excess of the applicable
3 expenditure minimum;

4 (b) The acquisition, including acquisition by lease, of any health care facility, or major
5 medical equipment costing in excess of the expenditure minimum;

6 (c) Any capital expenditure by or on behalf of a health care facility in excess of the
7 expenditure minimum;

8 (d) Predevelopment activities as defined in subdivision (12) hereof costing in excess of one
9 hundred fifty thousand dollars;

10 (e) Any change in licensed bed capacity of a health care facility licensed under chapter 198
11 which increases the total number of beds by more than ten or more than ten percent of total bed
12 capacity, whichever is less, over a two-year period, provided that any such health care facility
13 seeking a nonapplicability review for an increase in total beds or total bed capacity in an amount
14 less than described in this paragraph shall be eligible for such review only if the facility has had no
15 patient care class I deficiencies within the last eighteen months and has maintained at least an
16 eighty-five percent average occupancy rate for the previous six quarters;

17 (f) Health services, excluding home health services, which are offered in a health care
18 facility and which were not offered on a regular basis in such health care facility within the twelve-
19 month period prior to the time such services would be offered;

20 (g) A reallocation by an existing health care facility of licensed beds among major types of
21 service or reallocation of licensed beds from one physical facility or site to another by more than ten
22 beds or more than ten percent of total licensed bed capacity, whichever is less, over a two-year
23 period;

24 (10) "Nonsubstantive projects", projects which do not involve the addition, replacement,
25 modernization or conversion of beds or the provision of a new health service but which include a
26 capital expenditure which exceeds the expenditure minimum and are due to an act of God or a
27 normal consequence of maintaining health care services, facility or equipment;

28 (11) "Person", any individual, trust, estate, partnership, corporation, including associations
29 and joint stock companies, state or political subdivision or instrumentality thereof, including a
30 municipal corporation;

31 (12) "Predevelopment activities", expenditures for architectural designs, plans, working
32 drawings and specifications, and any arrangement or commitment made for financing; but excluding
33 submission of an application for a certificate of need."; and

34
35 Further amend said bill by amending the title, enacting clause, and intersectional references
36 accordingly.