

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 469

AMENDMENT NO. A8
(to be filled in by
Principal Clerk)

S469-AMG-49 [v.4]

Page 1 of 2

Amends Title [NO]
Fifth Edition

Date _____, 2018

Representative Dixon

1 moves to amend the bill on page 8, line 38, through page 9, line 2,
2 by rewriting the lines to read:

3
4 **"LEGACY MEDICAL CARE FACILITY EXEMPTION**

5 **SECTION 14.** G.S. 131E-184(h) reads as rewritten:

6 "(h) The Department ~~shall~~must exempt from certificate of need review the acquisition or
7 reopening of a Legacy Medical Care Facility. The person seeking to operate a Legacy Medical
8 Care Facility ~~shall~~must give the Department written notice of all of the following:

- 9 (1) Its intention to acquire or reopen a Legacy Medical Care Facility within the
10 same county and the same service area as the facility that ceased continuous
11 operations. If the Legacy Care Medical Facility will become operational in a
12 new location within the same county and the same service area as the facility
13 that ceased continuous operations, then the person responsible for giving the
14 written notice required by this section ~~shall~~must notify the Department, as
15 soon as reasonably practicable and prior to becoming operational, of the new
16 location of the Legacy Medical Care Facility. For purposes of this subdivision,
17 "service area" means the service area identified in the North Carolina State
18 Medical Facilities Plan in effect at the time the written notice required by this
19 section is given to the Department.

- 20 (2) That the facility will be operational within 36 months of the notice.

21 The Department ~~shall~~must extend the time by which a facility must be operational in order
22 to be exempt from certificate of need review under this subsection by one additional 36-month
23 period if the person seeking to reopen or acquire the Legacy Medical Care Facility gives the
24 Department written notice of extension within 36 months of the original notice of intent to
25 acquire or reopen the Legacy Medical Care Facility. The written notice of extension must notify
26 the Department (i) that the person has undertaken all reasonable efforts to make the facility
27 operational within 36 months of the notice of intent, (ii) that, despite these reasonable efforts, the
28 person does not anticipate the facility will be operational within that time, and (iii) of its intention
29 that the facility will be operational within 36 months of the notice of extension.""



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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
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