

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 886

Short Title: Hospital Cooperation Act Amended.

(Public)

Sponsors: Senators Cooper, Ledbetter, and Clark.

Referred to: Finance

May 1, 1995

A BILL TO BE ENTITLED

AN ACT TO AMEND THE HOSPITAL COOPERATION ACT REGARDING COOPERATIVE AGREEMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131E-192.2(2) reads as rewritten:

"(2) 'Cooperative agreement' means an agreement among two or more hospitals, or between a hospital and any other person, for the sharing, allocation, or referral of patients, personnel, instructional programs, support services and facilities, or medical, diagnostic, or laboratory facilities or equipment, or procedures or other services traditionally offered by hospitals. hospitals, including agreements for a merger or a collaborative partnership among two or more hospitals. ~~Cooperative agreement~~ 'Cooperative agreement' shall not include any agreement by which ownership over substantially all of the stock, assets, or activities of one or more previously licensed and operating hospitals is transferred nor any agreement that would permit self-referrals of patients by a health care provider that is otherwise prohibited by law."

Sec. 2. G.S. 131E-192.11 reads as rewritten:

"§ 131E-192.11. Fees for applications and periodic reports.

1       The Department and the Attorney General shall establish a schedule of fees for filing  
2 an application for a certificate of public advantage and for filing a periodic report based  
3 on the total cost of the project for which the application or periodic report is made. The  
4 fee for filing an application may not exceed fifteen thousand dollars (\$15,000). The fee  
5 for filing a periodic report may not exceed two thousand five hundred dollars (\$2,500).  
6 The fee schedule established should generate sufficient revenue to offset the costs of the  
7 program. An application filing fee must be paid to the Department at the time an  
8 application for a certificate of public advantage is submitted to it pursuant to G.S. 131E-  
9 192.3. A periodic report filing fee must be paid to the Department at the time a periodic  
10 report is submitted to it pursuant to G.S. 131E-192.9.

11       If the Department or the Attorney General determines that consultants are needed to  
12 complete a review of an application, additional fees may be established by prior  
13 agreement with the applicants before the application is considered."

14               Sec. 3. This act is effective upon ratification and applies to applications filed  
15 on or after this date.