

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Encourage Access to Health Care in Maine

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §1843, sub-§1, as enacted by PL 2005, c. 670, §1 and affected by §4, is amended to read:

1. Cooperative agreement. "Cooperative agreement" means an agreement that names the parties to the agreement and describes the nature and scope of the cooperation for:

- A. The sharing, allocation or referral of patients, personnel, instructional programs, medical or mental health services, support services or facilities or medical, diagnostic or laboratory facilities, procedures or other services traditionally offered by hospitals or health care providers;
- B. The coordinated negotiation and contracting with payors or employers; or
- C. The merger of 2 or more hospitals or ~~2 or more health care providers~~ covered entities.

~~A cooperative agreement under this chapter is an agreement between 2 or more hospitals or an agreement between 2 or more health care providers. An agreement between one or more hospitals and one or more health care providers is not a cooperative agreement for the purposes of this chapter.~~

Sec. 2. 22 MRSA §1843, sub-§5, as enacted by PL 2005, c. 670, §1 and affected by §4, is amended to read:

5. Merger. "Merger" means a transaction by which ownership or control over substantially all of the stock, assets or activities of one or more covered entities is placed under the control of another covered entity. ~~A merger between one or more hospitals and one or more health care providers is not a merger for the purposes of this chapter.~~

SUMMARY

This bill amends the Hospital and Health Care Provider Cooperation Act, which applies to mergers of covered entities, which are defined as hospitals and health care providers. Currently the Act applies only to a merger of a hospital with a hospital or of a health care provider with a health care provider. This bill makes the Act apply also to a merger of a hospital with a health care provider.