SENATE DOCKET, NO. 1657 FILED ON: 1/14/2009

SENATE . . . . . No. 586

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act clarifying the determination of need threshold..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 25B of chapter 111 of the general laws is hereby amended by inserting within the definition of "expenditure minimum with respect to substantial capital expenditures" the following:

After the words “unless the expenditures and acquisitions are at least $25,000,000,” the following:- “; or will total at least $25,000,000 when aggregated over a five year period”

B. Prior to the last sentence, the following:- “Expenditures and acquisitions of at least $5M in connection with new or expanded outpatient services not otherwise subject to determination of need that are anticipated to be implemented during a rolling three year period shall be reported annually to the department and updated as appropriate.”