SENATE DOCKET, NO. 1110 FILED ON: 1/20/2011

SENATE . . . . . No. 1068

The Commonwealth of Massachusetts

PRESENTED BY:

Frederick E. Berry

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act expanding the determination of need threshold.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Frederick E. Berry	
Katherine M. Clark	*Middlesex and Essex*

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SENATE . . . . . No. 1068

By Mr. Berry, a petition (accompanied by bill, Senate, No. 1068) of Frederick E. Berry and Katherine M. Clark for legislation to expand the determination of need threshold. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act expanding 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" after the words “unless the expenditures and acquisitions are at least $25,000,000, in which case a determination of need shall be required”, the following: “ or unless the expenditures and acquisitions are at least $5,000,000, or will total at least $25,000,000 when aggregated over a five year period, and will (i) not be implemented within its own primary service area to be defined by the department for these purposes, and (ii) will be implemented within the primary service area of another hospital that is a community hospital.”