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

**SENATE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PRESENTED BY:

**Bruce E. Tarr**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*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 passage of the accompanying bill:

An Act clarifying the determination of need threshold.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Bruce E. Tarr | First Essex and Middlesex |

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and 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:

1. 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.”