

SENATE No.

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:

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

4
5 A. After the words "unless the expenditures and acquisitions are at least \$25,000,000,"
6 the following:- "; or will total at least \$25,000,000 when aggregated over a five year
7 period"

8
9 B. Prior to the last sentence, the following:- "Expenditures and acquisitions of at least
10 \$5M in connection with new or expanded outpatient services not otherwise subject to
11 determination of need that are anticipated to be implemented during a rolling three year
12 period shall be reported annually to the department and updated as appropriate."