

ESB 5241 - H AMD TO APP COMM AMD (H-3433.2/24) 1200

By Representative Corry

NOT CONSIDERED 03/07/2024

1 On page 15, beginning on line 7 of the striking amendment, after
2 "(1)" strike all material through "act" on line 26 and insert "For any
3 material change transaction included under RCW 19.390.040(3), that is
4 not limited to the preliminary review under section 10 of this act or
5 being reviewed under the emergency review process pursuant to RCW
6 19.390.040(4) the attorney general may, in consultation with the
7 secretary of health, hire an expert independent contractor to prepare
8 a health equity assessment if, in the opinion of the attorney general
9 and secretary of health, an assessment is necessary based on the
10 likely negative impact of the transaction on the elements in
11 subsection (3) of this section. The independent contractor shall be
12 screened for any conflicts of interest in advance, agree to maintain
13 confidentiality of information pursuant to this act, agree to charge a
14 reasonable market rate fee, and have necessary experience and
15 expertise in health planning, economics, operations, and financial
16 analysis. In creating a health equity assessment, the independent
17 contractor must engage with and provide input in the assessment from
18 the department of health, local public health jurisdictions, emergency
19 health care coalitions, health care entities, public health experts,
20 organizations representing employees of the applicant, health care
21 advocates, community members who reside in the service areas of the
22 parties to the material change transaction, the parties to the
23 material change transaction, and other individuals or organizations
24 the attorney general, secretary of health, or independent consultant
25 determine should be consulted. Any assessment conducted under this
26 section must be completed 30 days prior to the attorney general's
27 deadline to complete a review under section 10 of this act"

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On page 16, line 38 of the striking amendment, after "(j)" strike "An" and insert "In consultation with the department of health, an"

On page 16, at the beginning of line 40 of the striking amendment, strike "with specific input from the department of health"

On page 17, line 27 of the striking amendment, after "to" insert "approve,"

On page 17, line 28 of the striking amendment, after "modifications" insert ","

EFFECT: Provides that hiring of an independent contractor by the Attorney General to prepare a health equity assessment is discretionary rather than mandatory, and the decision must be made in consultation with the Secretary of Health based on a determination that an assessment is necessary due to the likely negative impact of the transaction on specified factors.

Requires any independent contractor hired to conduct a health equity assessment to have expertise in health planning, economics, operations, and financial analysis.

Provides that an assessment of whether a transaction will reduce architectural barriers for people with mobility impairments must be made in consultation with the Department of Health, rather than with input from the Department of Health.

Adds that the Attorney General must use the information in a health equity assessment to also consider whether a transaction should be approved, not just whether it should be disapproved or subject to conditions or modifications.

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