

**ESB 5241** - H AMD TO APP COMM AMD (H-3433.2/24) **1189**

By Representative Simmons

**NOT CONSIDERED 03/07/2024**

1 On page 4, line 34 of the striking amendment, after "management"  
2 insert "for humans"

3  
4 On page 5, line 31 of the striking amendment, after "services"  
5 insert "for humans"

6  
7 On page 5, line 33 of the striking amendment, after "services"  
8 insert "for humans"

9  
10 On page 6, after line 12 of the striking amendment, insert the  
11 following:

12 "(5) For purposes of subsection (2) of this section, a material  
13 change transaction does not include any transaction in which a  
14 participant is:

15 (a) An Indian health care provider as that term is defined by RCW  
16 43.71B.010, unless the transaction would result in the participant no  
17 longer qualifying as an Indian health care provider; or

18 (b) A federally qualified health center as that term is defined by  
19 42 U.S.C. Sec. 1395x, unless the transaction would result in the  
20 participant no longer qualifying as a federally qualified health  
21 center."

22  
23 Renumber the remaining subsections consecutively and correct any  
24 internal references accordingly.

25  
26 On page 6, beginning on line 28 of the striking amendment, after  
27 "emergency review" strike the remainder of the subsection and insert

1 ". If the material change transaction is accepted for emergency  
2 review, parties may submit notice less than 120 days before the  
3 effective date of a transaction. For transactions that qualify for  
4 emergency review the attorney general must expedite the preliminary  
5 and comprehensive reviews pursuant to sections 10 and 11 of this act  
6 to ensure any comprehensive review is completed within 90 days."

7  
8 On page 6, beginning on line 38 of the striking amendment, after  
9 "years," strike all material through "42 U.S.C. Sec. 1395x(aa)," on  
10 page 7, line 1

11  
12 On page 12, line 10 of the striking amendment, after "notice"  
13 insert ", or within 90 days if the transaction qualified for emergency  
14 review under RCW 19.390.030"

15  
EFFECT: Specifies entities subject to the bill's requirements  
must provide health care for humans.

Provides transactions with Indian Health Care Providers and  
Federally Qualified Health Centers do not qualify as material change  
transactions under the bill, unless the transaction would result in  
such participants no longer qualifying as Indian Health Care  
Providers or Federally Qualified Health Centers.

Retains requirement for Attorney General, after receiving notice a  
party is seeking emergency review, to notify the party whether the  
transaction is subject to emergency review, while removing the  
requirement to notify the party whether the transaction is subject  
to preliminary review requiring documentation. Specifies that, if a  
transaction is accepted for emergency review, the parties may submit  
notice less than 120 days before the transaction. Specifies that,  
for transactions qualifying for emergency review, the Attorney  
General must: expedite preliminary and comprehensive review;  
complete any comprehensive review within 90 days; and approve,  
impose conditions or modifications on, or disapprove the transaction  
within 90 days.

Removes a provision allowing federally qualified health centers and  
rural health clinics to always qualify for basic notice  
requirements.

33

34

--- END ---