



380418

CRC ACTION

Commissioner .
Comm: FAV .
12/18/2017 .
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. .
. .

The Committee on General Provisions (Heuchan) recommended the following:

CRC Amendment (with title amendment)

Delete everything after the proposal clause
and insert:

A new section is added to Article X of the State
Constitution to read:

ARTICLE X

MISCELLANEOUS

Prohibition on limitations on health care facilities and
services.-



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11 (a) The state may not limit the number of hospitals,
12 nursing homes, hospices, or intermediate care facilities for
13 individuals with intellectual disabilities, or services provided
14 by these facilities, through the granting of certificates of
15 need.

16 (b) Upon the effective date of this section, laws that
17 relate to certificate of need approval for the number of
18 hospitals, nursing homes, hospices, or intermediate care
19 facilities for individuals with intellectual disabilities, or
20 services provided by these facilities are void and of no effect.
21 Provided however that laws that restrict or limit the ownership
22 or licensure of hospitals, nursing homes, hospices, or
23 intermediate care facilities for individuals with intellectual
24 disabilities shall remain in effect.

25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 Delete everything before the proposal clause
29 and insert:

30 A proposal to create
31 A New Section of Article X of the State Constitution to
32 prohibit the state from limiting the number of specified
33 health care facilities and services through the granting of
34 certificates of need and to declare all conflicting laws void.
35