

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 886  
Second Edition Engrossed 5/10/95

Short Title: Hospital Cooperation Act Amended.

(Public)

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Sponsors: Senators Cooper, Ledbetter, and Clark.

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Referred to: Finance

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May 1, 1995

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE HOSPITAL COOPERATION ACT REGARDING  
3 COOPERATIVE AGREEMENTS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 131E-192.2(2) reads as rewritten:

6 "(2) 'Cooperative agreement' means an agreement among two or more  
7 hospitals, or between a hospital and any other person, for the sharing,  
8 allocation, or referral of patients, personnel, instructional programs,  
9 support services and facilities, or medical, diagnostic, or laboratory  
10 facilities or equipment, or procedures or other services traditionally  
11 offered by ~~hospitals~~ hospitals, including agreements for a merger or a  
12 collaborative partnership among two or more hospitals. ~~Cooperative~~  
13 ~~agreement~~ 'Cooperative agreement' shall not include any agreement by  
14 which ownership over substantially all of the stock, assets, or activities of one  
15 or more previously licensed and operating hospitals is transferred nor any  
16 agreement that would permit self-referrals of patients by a health care  
17 provider that is otherwise prohibited by law."

18 Sec. 2. G.S. 131E-192.11 reads as rewritten:

19 **"§ 131E-192.11. Fees for applications and periodic reports.**

1 (a) The Department and the Attorney General shall establish a schedule of fees for  
2 filing an application for a certificate of public advantage and for filing a periodic report  
3 based on the total cost of the project for which the application or periodic report is made.  
4 The fee for filing an application may not exceed fifteen thousand dollars (\$15,000). The  
5 fee for filing a periodic report may not exceed two thousand five hundred dollars  
6 (\$2,500). The fee schedule established should generate sufficient revenue to offset the  
7 costs of the program. An application filing fee must be paid to the Department at the  
8 time an application for a certificate of public advantage is submitted to it pursuant to G.S.  
9 131E-192.3. A periodic report filing fee must be paid to the Department at the time a  
10 periodic report is submitted to it pursuant to G.S. 131E-192.9.

11 (b) If the Department or the Attorney General determines that consultants are  
12 needed to complete a review of an application, an additional application fee may be  
13 established by prior agreement with the applicants before the application is considered.  
14 The amount of the additional fee may not exceed the costs of contracting with the  
15 necessary consultants. The additional fee shall not be considered in determining whether  
16 an application fee exceeds the maximum application fee amount set in subsection (a) of  
17 this section."

18 Sec. 3. This act is effective upon ratification and applies to applications filed  
19 on or after this date.