

**SB0447/253021/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 447  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Senator Lam**” and substitute “**Senators Lam, Love, and Gile**”; in line 2, before “**Medical**” insert “**Pregnancy-Related**”; in lines 3 and 6, in each instance, strike “an individual” and substitute “a patient”; in line 4, strike “individual” and substitute “patient”; in lines 5, 6, and 9, in each instance, after “emergency” insert “pregnancy-related”; and in line 7, after “condition;” insert “requiring a hospital to allow the termination of a pregnancy in certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 3, before “**MEDICAL**” insert “**PREGNANCY-RELATED**”; in the same line, strike the colon; in line 4, strike “**(I) A**” and substitute “**A**”; in the same line, after “**PRESENTS**” insert “**IN A PREGNANT PATIENT**”; in line 5, strike “**, INCLUDING SEVERE PAIN,**”; in lines 8, 11, and 12, strike “**1.**”, “**2.**”, and “**3.**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; strike beginning with “**INDIVIDUAL**” in line 8 down through “**CHILD,**” in line 10 and substitute “**PATIENT**”; strike beginning with “**; OR**” in line 13 down through “**CHILD**” in line 19; in lines 20 and 21, strike “**: (I) FOR**” and substitute “**, FOR**”; in the same line, after “**EMERGENCY**” insert “**PREGNANCY-RELATED**”; in lines 21 and 22, strike “**AS DEFINED IN PARAGRAPH (2)(I) OF THIS SUBSECTION**”; in line 23, after “**TO**” insert “**ALLEVIATE THE CONDITION OR**”; and strike beginning with “**; OR**” in line 25 down through “**PLACENTA**” in line 28.

On page 2 in line 25 and on page 3 in lines 10, 13, 14, 22, and 25, in each instance, strike “**INDIVIDUAL**” and substitute “**PATIENT**”.

**SB0447/253021/01**                      **Finance Committee**  
**Amendments to SB 447**  
**Page 2 of 3**

On page 3, strike beginning with “ON” in line 1 down through “(D)” in line 5; in line 7, strike “AT” and substitute “TO”; in line 9, after “CONDITION” insert “, INCLUDING THE TERMINATION OF A PREGNANCY WHEN THE TERMINATION IS MEDICALLY NECESSARY TO STABILIZE THE PATIENT”; after line 10, insert:

“(D) A HOSPITAL SHALL ALLOW THE TERMINATION OF A PREGNANCY AT THE HOSPITAL IF THE PATIENT’S TREATING HEALTH CARE PRACTITIONER DETERMINES TERMINATION IS MEDICALLY NECESSARY TO STABILIZE A PATIENT.”;

in lines 13, 14, 16, 18, and 23, in each instance, strike “INDIVIDUAL’S” and substitute “PATIENT’S”; in lines 16 and 18, in each instance, strike “AN INDIVIDUAL” and substitute “A PATIENT”; and in line 26, strike the colon and substitute “THE TRANSFER IS DONE CONSISTENT WITH 42 U.S.C. § 1395DD.”.

On page 3 in lines 5 and 24 and on page 6 in line 2, in each instance, strike “AN INDIVIDUAL” and substitute “A PATIENT”.

On page 3 in lines 5, 9, and 24 and on page 6 in line 2, in each instance, after “EMERGENCY” insert “PREGNANCY-RELATED”.

On pages 3 through 5, strike in their entirety the lines beginning with line 27 on page 3 through line 31 on page 5, inclusive.

On page 5, in line 32, strike “(J)” and substitute “(G)”; and in the same line, after “ACTION” insert “, INCLUDING AN ACTION RELATED TO DISCHARGE, PROMOTION, DEMOTION, SUSPENSION, COMPENSATION, TRAINING OPPORTUNITIES, STAFF PRIVILEGES, OR ADMITTING PRIVILEGES,”.

On page 6, in lines 1 and 4, in each instance, strike “QUALIFIED MEDICAL” and substitute “TREATING HEALTH CARE”; in line 10, strike “(K)” and substitute “(H)”; and after line 15, insert:

**“(I) (1) THE DEPARTMENT SHALL STAY A FINAL DECISION ON A POTENTIAL VIOLATION IF THERE IS AN ONGOING FEDERAL INVESTIGATION UNDER 42 U.S.C. § 1395DD REGARDING THE SAME INCIDENT.**

**(2) IF A FEDERAL INVESTIGATION UNDER 42 U.S.C. § 1395DD RESULTS IN A FINE BEING IMPOSED FOR THE SAME INCIDENT, THE DEPARTMENT SHALL SUBTRACT THE AMOUNT OF THE FEDERAL FINE FROM THE MAXIMUM POTENTIAL FINE UNDER THIS SECTION FOR THE SAME INCIDENT.**

**(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF A FEDERAL INVESTIGATION UNDER 42 U.S.C. § 1395DD RESULTS IN A FINE BEING IMPOSED FOR THE SAME INCIDENT WITHIN 2 YEARS AFTER THE DEPARTMENT IMPOSES A FINE UNDER THIS SECTION, THE DEPARTMENT SHALL REFUND THE HOSPITAL AN AMOUNT EQUAL TO THE AMOUNT OF THE FEDERAL FINE.**

**(II) THE AMOUNT REFUNDED UNDER SUBPARAGRAPH (I) OF THIS SUBSECTION MAY NOT EXCEED THE AMOUNT OF THE FINE IMPOSED BY THE DEPARTMENT FOR THE SAME INCIDENT.”.**

On pages 6 and 7, strike in their entirety the lines beginning with line 16 on page 6 through line 2 on page 7, inclusive.

On page 7, in lines 6 and 10, in each instance, strike “AUTHORIZE” and substitute “ALLOW”.