

# HOUSE . . . . . No. 1497

By Mr. Karol of Attleboro, petition of Stephen J. Karol, Edward B. Teague III, Nancy Achin Sullivan, Kevin Poirier, Robert L. Hedlund and Frederick E. Berry for legislation to regulate the definition of certain service costs by the Rate Setting Commission under the determination of need program. Health Care.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT RELATIVE TO RECOGNITION OF CERTAIN SERVICE COSTS AS DEFINED BY THE RATE SETTING COMMISSION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section eighty-one (i) of chapter six A of the  
2 General Laws, as inserted by section 20 of chapter 23 of the acts  
3 of 1988, is hereby amended by inserting after the second sentence  
4 thereof the following sentence: —

5 Fiscal nineteen hundred and eighty-eight adjusted prior year  
6 costs shall be further adjusted by adding any operating costs  
7 associated with implementation of a lithotripsy service in fiscal  
8 year nineteen hundred and eighty-nine; provided, however, that  
9 the provisions of the first two sentences of this subsection, and  
10 not this sentence, shall apply to any lithotripsy service subject to  
11 determination of need review under the provision of chapter one  
12 hundred and eleven.

1 SECTION 2. For purposes of section 4.5 of the hospital  
2 agreement (as defined in section thirty-one of chapter six A of the  
3 General Laws) designated as "HA-31," operating costs associated  
4 with a lithotripsy service that are used to adjust adjusted prior  
5 year costs in any fiscal year pursuant to the third sentence of  
6 section eighty-one (i) of chapter six A of the General Laws, as  
7 added by section 1 of this act, shall be deemed to be incremental

8 operating costs associated with an approved determination of  
9 need project.

1 SECTION 3. This act shall take effect upon its passage.