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**ESB 5241** - H AMD TO APP COMM AMD (H-3433.2/24) **1258**

By Representative Reeves

On page 17, after line 30 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 14.** (1) For any material change transactions included under RCW 19.390.040(3), which are not limited to the preliminary review under section 10 of this act, the attorney general must engage an independent contractor, which may include educational institutions or private entities with subject matter expertise, to carry out a social vulnerability assessment of the impacts of the material change transaction. Social vulnerability refers to the resilience of communities when confronted by external stresses on human health, such as natural or human-caused disasters, or disease outbreaks.

(2) The independent contractor shall be screened for any conflicts of interest in advance, agree to maintain confidentiality of information pursuant to this chapter, agree to charge a reasonable market-rate fee, and have necessary experience and expertise.

(3) In conducting a social vulnerability assessment, the independent contractor must engage with and provide input in the assessment from the department of health, local public health jurisdictions, emergency health care coalitions, health care entities, public health experts, health care advocates, socially vulnerable community members who reside in the service areas of the parties to the material change transaction, and other individuals or organizations the attorney general, secretary of health, or independent contractor determine should be consulted.

(4) A social vulnerability assessment conducted under this section must be completed 30 days prior to the attorney general's deadline to complete a review under section 10 of this act.

(5) The social vulnerability assessment must contain information and data, including, but not limited to:

(a) The affected communities' most recent social vulnerability index as determined by the federal centers for disease control and prevention and agency for toxic substances and disease registry; and

(b) A discussion of conditions or modifications that the attorney general may impose on the material change transaction to minimize negative impacts of the transaction on socially vulnerable populations within the communities affected by the transaction.

(6) The attorney general must use the information contained in the social vulnerability assessment to better inform the attorney general as to whether the parties meet the requirements for a material change transaction under section 9 of this act and in determining under section 11 of this act whether to impose conditions or modifications or disapprove the material change transaction.

(7) The social vulnerability assessment must be posted on the attorney general's website."

Renumber the remaining sections consecutively and correct any internal references accordingly.

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|  | EFFECT:   Adds a new section requiring that, for material change transactions subject to enhanced notice requirements and which advance to a comprehensive review stage, the attorney general must engage an independent contractor to carry out a social vulnerability assessment of the impacts of the transaction. Establishes contractor requirements. Establishes assessment engagement, timing, publication, and information requirements. Requires the Attorney General to use the assessment in determining whether the transaction meets standards and whether to impose conditions or modifications on the transaction or disapprove the transaction. |

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