**5241 AMS KUDE S4913.1 - NOT FOR FLOOR USE**

**SB 5241** - S AMD TO S AMD (S-4880.1/24) **573**

By Senator Kuderer

**ADOPTED 02/08/2024**

On page 5, beginning on line 6, strike all of section 4 and insert the following:

**"Sec.**  RCW 19.390.030 and 2019 c 267 s 3 are each amended to read as follows:

(1) Not less than ((~~sixty~~)) 120 days prior to the effective date of any transaction that results in a material change, the parties to the transaction shall submit written notice to the attorney general of such material change transaction.

(2) For the purposes of this ((~~section~~)) chapter, a material change transaction includes a merger, acquisition, or contracting affiliation ((~~between~~)) :

(a) Between two or more ((~~entities~~)) of the following ((~~types~~)) entities:

((~~(a)~~)) (i) Hospitals;

((~~(b)~~)) (ii) Hospital systems; or

((~~(c)~~)) (iii) Provider organizations; or

(b) Between the following entities:

(i) An entity described in (a) of this subsection and a carrier or an insurance holding company system, as defined in RCW 48.31B.005; or

(ii) An entity described in (a) of this subsection and any other person or entity that has as its primary function the provision of health care services or that is a parent organization of, has control over, or governance of, an entity that has as its primary function the provision of health care services.

(3) A material change transaction includes proposed changes identified in subsection (2) of this section between ((~~a Washington entity and an out-of-state entity where the out-of-state entity generates ten million dollars or more in health care services revenue from patients residing in Washington state, and the entities are of the types identified in subsection (2) of this section~~)) Washington entities, as well as between Washington entities described in subsection (2)(a) of this section and out-of-state entities. Any party to a material change transaction that is licensed or operating in Washington state shall submit a notice as required under this section.

(4) For purposes of subsection (2) of this section, a merger, acquisition, or contracting affiliation between two or more ((~~hospitals, hospital systems, or provider organizations~~)) entities only qualifies as a material change transaction if the ((~~hospitals, hospital systems, or provider organizations~~)) entities did not previously have common ownership or a contracting affiliation."

EFFECT: Includes hospital mergers with insurance carriers, insurance holding companies, and specified health care services providers or their governing entities.

Removes the $10,000,000 revenue requirement for reviewing mergers with out-of-state entities.