

UPDATES

Health Resources Board (HRB)

Dr. Nancy Fan, DHCC Chair



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HEALTH RESOURCES BOARD (HRB) - UPDATE

- HRB has been under Sunset Review since 2019
- Joint Legislative Oversight Sunset Committee (JLOSC) Adopted Recommendations as of June 6, 2022:
 - Recommendation #1, Option 1 – continue HRB
 - Recommendation #2 – Restructure HRB to Advisory Committee
 - Recommendation #3 – Statute Revisions
 - Recommendation #4 – Utilization Survey, Utilization Form Requirements
 - Recommendation #4, Option 1 – Conducting a State-wide Health Care Facility Utilization Study
 - Recommendation #5 – Release from Review (upon enactment of legislation)



HEALTH RESOURCES BOARD (HRB) - UPDATE

- House Bill (HB) 394 introduced May 14, 2024
 - Sponsor: Representative Sherry Dorsey Walker
- Synopsis:
 - This Act is a result of the JLOSC review of the HRB, which this Act renames the Delaware Health Resources Advisory Board (Advisory Board). Based on the research, review, and discussion of both the JLOSC and a task force created to assist the JLOSC's research, JLOSC approved recommendations to change the Advisory Board into an advisory council and move the Advisory Board's decision-making authority to the Delaware Health Care Commission's executive director. In addition to those approved recommendations, this Act also implements JLOSC's approval to amend the Advisory Board's statute



HEALTH RESOURCES BOARD (HRB) - UPDATE

■ HB 394 Highlights

- Updating the application review process; incorporating research and staff review of applications.
- Transferring final decisions on applications to the executive director of the DHCC, with the advisory board's assistance, including the public meeting component.
- Codifying relevant sections of the current Health Resources Management Plan.
- Board decreased to 10 members total (7 Governor-appointed, voting members and 3 ex officio, non-voting members).
- Quorum defined as a simple majority of voting members must be present to conduct official business. Vacancies, recusals, and nonvoting members are not included in the count for quorum.



HEALTH RESOURCES BOARD (HRB) - UPDATE

- The Department to develop the utilization statistics form and collect information annually.
- Removes reference to certificates of public review and instead calls the process a certificate of need (CON), the title used nationally.
- Updates the expenditure threshold from \$5.8 million to \$8 million, using the annual inflation index.
- Removes from review the acquisition of major medical equipment.
- The Department to enforce requirements, promulgate regulations, and publish on its website all received charity care plans and reports.



HEALTH RESOURCES BOARD (HRB) - UPDATE

- Status of HB 394 (as of June 12, 2024)
 - May 21, 2024 - Reported Out of Committee (Sunset Committee (Policy Analysis & Government Accountability) in House
 - May 22, 2024 - Assigned to Appropriations Committee in House

