

(5) a copy of the acquisition agreement;

(6) a financial and community impact analysis report from an independent expert or consultant that addresses the criteria in § 6.5-301 of this title; [and]

(7) AN INDEPENDENT VALUATION OF THE NONPROFIT HEALTH ~~SERVICE PLAN ENTITY~~ THAT WAS OBTAINED PRIOR TO THE CONSIDERATION OF ANY BID OR OFFER TO ACQUIRE THE NONPROFIT HEALTH CARE ENTITY;

(8) AN ANTITRUST ANALYSIS PREPARED BY AN APPROPRIATE EXPERT;
AND

[(7)](9) any other documents related to the acquisition.

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(b) An acquisition is not in the public interest unless appropriate steps have been taken to:

(1) ensure that the value of public or charitable assets is safeguarded;

(2) ENSURE THAT THE VALUE OF PUBLIC OR CHARITABLE ASSETS IS SPENT IN A MANNER THAT CORRESPONDS WITH THE POTENTIAL RISK ASSOCIATED WITH AN THE ACQUISITION;

[(2)](3) ensure that:

(i) the fair value of the public or charitable assets of a nonprofit health service plan or a health maintenance organization will be distributed to the Maryland Health Care Foundation that was established in § 20-502 of the Health - General Article; or

(ii) 1. 40% of the fair value of the public or charitable assets of a nonprofit hospital will be distributed to the Maryland Health Care Foundation that was established in § 20-502 of the Health - General Article; and

2. 60% of the fair value of the public or charitable assets of a nonprofit hospital will be distributed to a public or nonprofit charitable entity or trust that is:

A. dedicated to serving the unmet health care needs of the affected community;

B. dedicated to promoting access to health care in the affected community;

C. dedicated to improving the quality of health care in the affected community; and

D. independent of the transferee;