

(I) THE AMOUNT OF THE SYSTEM-WIDE SAVINGS TO THE STATE HEALTH CARE SYSTEM EXPECTED TO RESULT FROM THE CLOSURE OR DELICENSURE OF THE HOSPITAL OVER:

1. THE PERIOD DURING WHICH THE FEE TO PROVIDE FOR THE PAYMENT OF THE CLOSURE COSTS OR ANY BONDS OR NOTES ISSUED TO FINANCE THE CLOSURE COSTS WILL BE ASSESSED; OR

2. A PERIOD ENDING 5 YEARS AFTER THE DATE OF CLOSURE OR DELICENSURE, WHICHEVER IS THE LONGER; AND

(II) THE RECOMMENDATIONS OF THE HEALTH RESOURCES PLANNING COMMISSION AND THE AUTHORITY.

(3) WITHIN 60 DAYS AFTER RECEIVING THE NOTICE OF CLOSURE OR DELICENSURE REQUIRED BY SUBSECTION (E), THE HEALTH SERVICES COST REVIEW COMMISSION SHALL:

(I) DETERMINE WHETHER TO PROVIDE FOR THE PAYMENT OF ALL OR ANY PORTION OF THE CLOSURE COSTS OF THE HOSPITAL IN ACCORDANCE WITH THIS SUBSECTION; AND

(II) GIVE WRITTEN NOTIFICATION OF SUCH DETERMINATION TO THE HEALTH RESOURCES PLANNING COMMISSION AND THE AUTHORITY.

(4) THE PROVISIONS OF THIS SUBSECTION MAY NOT BE CONSTRUED TO ~~REQUIRED~~ REQUIRE THE HEALTH SERVICES COST REVIEW COMMISSION TO MAKE PROVISION FOR THE PAYMENT OF ANY CLOSURE COSTS OF A CLOSED OR DELICENSED HOSPITAL.

(5) IN ANY SUIT, ACTION OR PROCEEDING INVOLVING THE VALIDITY OR ENFORCEABILITY OF ANY BOND OR NOTE ISSUED TO FINANCE ANY CLOSURE COSTS OR ANY SECURITY FOR A BOND OR NOTE, THE DETERMINATIONS OF THE HEALTH SERVICES COST REVIEW COMMISSION UNDER THIS SUBSECTION SHALL BE CONCLUSIVE AND BINDING.

[(f)] (H) (1) Within 60 days after receiving the written statement required by subsection [(e)] (F) of this section, the Authority shall prepare a schedule of payments necessary to meet the public body obligations of the hospital.

(2) As soon as practicable after [the preparation of the schedule of payments] RECEIPT OF THE NOTICE OF CLOSURE OR DELICENSURE REQUIRED BY SUBSECTION (E) and after consultation with the issuer of each public body obligation and the Health Services Cost Review Commission, the Authority shall prepare a proposed plan to finance, refinance or otherwise provide for the payment of public body obligations. The proposed plan may include any tender, redemption, advance refunding or other technique deemed appropriate by the Authority.