

(2) IF THE NONPROFIT HEALTH ENTITY IS A HOSPITAL, THE REGULATING ENTITY SHALL HOLD THE PUBLIC HEARING IN THE JURISDICTION IN WHICH THE HOSPITAL IS LOCATED.

(B) A PUBLIC HEARING UNDER THIS SECTION SHALL BE A QUASI-LEGISLATIVE HEARING AND NOT A CONTESTED CASE HEARING.

(C) ANY PERSON MAY FILE WRITTEN COMMENTS AND EXHIBITS OR MAKE A STATEMENT AT A THE PUBLIC HEARING.

(D) THE REGULATING ENTITY MAY:

- (1) SUBPOENA INFORMATION AND WITNESSES;
- (2) REQUIRE SWORN STATEMENTS;
- (3) TAKE DEPOSITIONS; AND
- (4) USE RELATED DISCOVERY PROCEDURES.

(E) (1) THE REGULATING ENTITY MAY CONTRACT WITH EXPERTS ~~OR CONSULTANTS~~ AS REASONABLY NECESSARY TO:

- (I) DETERMINE WHETHER TO APPROVE AN ACQUISITION GENERALLY;
- (II) PERFORM AN INDEPENDENT VALUATION OF THE PUBLIC OR CHARITABLE ASSETS OF THE TRANSFEROR;
- (III) EVALUATE THE IMPACT OF THE ACQUISITION ON THE AFFECTED COMMUNITY;
- (IV) DETERMINE WHETHER THERE HAS BEEN DUE DILIGENCE BY THE TRANSFEROR; AND
- (V) DETERMINE THE EXISTENCE OF ANY CONFLICTS OF INTEREST.

(2) THE SELECTION OF AN EXPERT BY A REGULATING ENTITY UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SUBJECT TO THE STATE PROCUREMENT LAWS.

~~(2)~~ (3) IF A REGULATING ENTITY ~~EMPLOYS CONTRACTS FOR EXPERT ASSISTANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE TRANSFEREE SHALL PAY THE REASONABLE COST OF THE EXPERT ASSISTANCE, AS DETERMINED BY THE REGULATING ENTITY.~~

(F) WITHIN 95 60 DAYS AFTER RECEIVING AN APPLICATION THE RECORD, INCLUDING THE PUBLIC HEARING PROCESS, HAS BEEN CLOSED, THE APPROPRIATE REGULATING ENTITY SHALL:

- (1) APPROVE THE ACQUISITION, WITH OR WITHOUT MODIFICATIONS; OR
- (2) DISAPPROVE THE ACQUISITION.