

~~DRAWINGS,--SPECIFICATIONS,--AND--OTHER--ACTIVITIES--ESSENTIAL--TO--THE--ACQUISITION,--IMPROVEMENT,--EXPANSION,--OR--REPLACEMENT--OF--ANY--PLANT--OR--EQUIPMENT,--OR--SUBSTANTIALLY--CHANGES--THE--BED--CAPACITY--OF--THE--FACILITY--WITH--RESPECT--TO--WHICH--THE--EXPENDITURE--IS--MADE,--OR~~

~~(iii)--SUBSTANTIALLY--CHANGES--THE--SERVICES--OF--SUCH--FACILITY.~~

(II) WHICH EXCEEDS \$150,000 AFTER ADJUSTMENT FOR INFLATION AS PROVIDED IN RULES AND REGULATIONS ADOPTED BY THE STATE AGENCY, INCLUDING THE COST OF ANY STUDIES, SURVEYS, DESIGNS, PLANS, WORKINGS, DRAWINGS, SPECIFICATIONS, AND OTHER ACTIVITIES ESSENTIAL TO THE ACQUISITION, IMPROVEMENT, EXPANSION, OR WHICH EXCEEDS THAT SUM IN CONNECTION WITH THE REPLACEMENT OF ANY PLANT OR EQUIPMENT; OR

(III) WHICH SUBSTANTIALLY CHANGES THE BED CAPACITY OF THE FACILITY WITH RESPECT TO WHICH THE EXPENDITURE IS MADE; OR

(IV) WHICH SUBSTANTIALLY CHANGES THE SERVICES OF THE FACILITY WITH RESPECT TO WHICH THE FACILITY EXPENDITURE IS MADE.

(3) ANY DONATION OF EQUIPMENT OR FACILITIES TO A HEALTH CARE FACILITY WHICH IF ACQUIRED DIRECTLY BY THE FACILITY WOULD BE WITHIN THE MEANING OF PARAGRAPH (D)(2) SHALL BE CONSIDERED A CAPITAL EXPENDITURE.

(4) ANY TRANSFER OF EQUIPMENT OR FACILITIES FOR LESS THAN FAIR MARKET VALUE SHALL BE CONSIDERED A CAPITAL EXPENDITURE IF A TRANSFER OF THE EQUIPMENT AT FAIR MARKET VALUE WOULD BE A CAPITAL EXPENDITURE.

(i) "Health Care Facility" means:

(1) A hospital or related institution as defined in Article 43, § 556 of the Code;

[(2) A health maintenance organization as defined in Article 43, § 842 of the Code;

(3)] (2) An ambulatory surgical facility which is not part of a hospital and which provides surgical treatment to patients not requiring overnight hospitalization. The term ambulatory surgical facility does not include the office of a private physician or dentist, whether organized for individual or for group practice; [or]

[[4)] (3) A kidney disease treatment facility, as defined by regulations of the United States Department of Health, Education and Welfare[.];

(4) REHABILITATION FACILITIES; OR