

(5) ALL OTHER HEALTH INSTITUTIONS, SERVICES OR PROGRAMS THAT MAY BE SPECIFIED AS REQUIRING CERTIFICATION OF NEED UNDER THE FEDERAL ACT.

However, "health care facility" does not mean any hospital or related institution operated or listed and certified by the First Church of Christ, Scientist, Boston, Massachusetts.

(j) "Health care project" means:

(1) The construction, development, or other establishment of a new health care facility;

(2) In any existing health care facility:

(i) The relocation to a new site or change in the type or scope of health care services, including health care services offered in space leased from the health care facility, OR IN A BUILDING LOCATED ON LAND LEASED FROM THE HEALTH CARE FACILITY, in excess of limits upon such change or relocation established by the State agency, except that this provision shall not apply, ~~UNLESS THE FEDERAL ACT REQUIRES OTHERWISE,~~ to an increase or decrease in magnitude of any single patient service over a 2-year period, by which the facility plans to change the volume of the service by less than 25 percent, OR FOR NEW HEALTH CARE SERVICES, IN WHICH THE CHANGE IN VOLUME RESULTS IN ANNUAL OPERATING REVENUE OF LESS THAN \$75,000 FOR A 12-MONTH PERIOD;

(ii) A change in bed capacity, except [that] this provision shall not apply, ~~UNLESS THE FEDERAL ACT REQUIRES OTHERWISE,~~ to a change in bed capacity which does not increase the total number of beds by more than 10 beds or more than 10 percent of the total bed capacity, whichever is less, over a 2-year period-[-];

[(iii) A capital expenditure, except that this provision shall not apply to:

(A) Expenditures of less than \$150,000; or

(B) Expenditures for site acquisitions]-

(3) THE OBLIGATION OF A CAPITAL EXPENDITURE OTHER THAN SITE ACQUISITION;

(4) THE ACQUISITION OR OF MAJOR MEDICAL EQUIPMENT, INCLUDING EQUIPMENT WHICH WILL NOT BE OWNED BY OR LOCATED IN A HEALTH CARE FACILITY, DONATIONS, LEASES OF MAJOR MEDICAL EQUIPMENT, AND AN ACQUISITION OF EQUIPMENT THROUGH A TRANSFER OF IT FOR LESS THAN FAIR MARKET VALUE IF ITS FAIR MARKET VALUE IS AT LEAST \$150,000+;

(5) THE OFFERING OF NEW INSTITUTIONAL HEALTH SERVICES; OR