

2. Does not require, over the entire period or schedule of debt service associated with the project, a total cumulative increase in patient charges or hospital rates of more than \$1,500,000 for the capital costs associated with the project as determined by the Commission, after consultation with the Health Services Cost Review Commission;

3. At least 45 days before the proposed expenditure is made, the hospital notifies the Commission [and within]; AND

A. WITHIN 45 days of receipt of the relevant financial information, the Commission makes the financial determination required under item 2 of this subparagraph; OR

B. THE COMMISSION HAS NOT MADE THE FINANCIAL DETERMINATION REQUIRED UNDER ITEM 2 OF THIS SUBPARAGRAPH WITHIN 60 DAYS OF THE RECEIPT OF THE RELEVANT FINANCIAL INFORMATION; and

4. The relevant financial information to be submitted by the hospital is defined in regulations adopted by the Commission, after consultation with the Health Services Cost Review Commission; or

(ix) A plant donated to a hospital as defined in § 19-301 of this title, which does not require a cumulative increase in patient charges or hospital rates of more than \$1,500,000 for capital costs associated with the donated plant as determined by the Commission, after consultation with the Health Services Cost Review Commission that:

1. At least 45 days before the proposed donation is made, the hospital notifies the Commission [and within]; AND

A. WITHIN 45 days of receipt of the relevant financial information, the Commission makes the financial determination required under this subparagraph; OR

B. THE COMMISSION HAS NOT MADE THE FINANCIAL DETERMINATION REQUIRED UNDER ITEM 2 OF THIS SUBPARAGRAPH WITHIN 60 DAYS OF THE RECEIPT OF THE RELEVANT FINANCIAL INFORMATION; and

2. The relevant financial information to be submitted by the hospital is defined in regulations adopted by the Commission after consultation with the Health Services Cost Review Commission.

~~[(6)]~~ ~~(9)~~ (7) Paragraph ~~[(5)(vi), (vii), (viii), and (ix)]~~ ~~(7)(VI), (6)(VI), (VII), (VIII), AND (IX)~~ of this subsection may not be construed to permit a facility to offer a new health care service for which a certificate of need is otherwise required.

~~[(7)]~~ ~~(9)~~ (8) Subject to the notice requirements of paragraph ~~[(5)(ii)]~~ ~~(7)(II)~~ (6)(II) of this subsection, a hospital may acquire a freestanding ambulatory surgical facility or office of one or more health care practitioners or a group practice with one or more operating rooms used primarily for the purpose of providing ambulatory surgical services if the facility, office, or group practice: