

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

SUBTITLE 13. FEDERALLY QUALIFIED HEALTH CENTERS GRANT PROGRAM.

24-1301.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "FEDERALLY QUALIFIED HEALTH CENTER" MEANS A HEALTH CENTER THAT IS:

(1) DESIGNATED AS A FEDERALLY QUALIFIED HEALTH CENTER UNDER § 330 OF THE FEDERAL PUBLIC HEALTH SERVICE ACT, 42 U.S.C. 254B; AND

(2) WHOLLY OWNED BY AND OPERATED UNDER THE AUTHORITY OF A COUNTY, MUNICIPAL CORPORATION, OR NONPROFIT ORGANIZATION.

(C) "NONPROFIT ORGANIZATION" MEANS:

(1) A BONA FIDE RELIGIOUS ORGANIZATION, NO PART OF THE EARNINGS OF WHICH INURES TO THE BENEFIT OF ANY INDIVIDUAL OR IS USED FOR ANY PURPOSE OTHER THAN THE MAINTENANCE AND OPERATION OF A FACILITY, THE PURCHASE OF EQUIPMENT TO BE USED IN A FACILITY, OR THE EXPANSION OF A FACILITY; OR

(2) AN ORGANIZATION:

(I) THAT IS CHARTERED AS A NONPROFIT CORPORATION AND CLASSIFIED BY THE INTERNAL REVENUE SERVICE AS NONPROFIT; AND

(II) NO PART OF THE EARNINGS OF WHICH INURES TO THE BENEFIT OF ANY INDIVIDUAL OR IS USED FOR ANY PURPOSE OTHER THAN THE MAINTENANCE AND OPERATION OF A FACILITY, THE PURCHASE OF EQUIPMENT TO BE USED IN A FACILITY, OR THE EXPANSION OF A FACILITY.

(D) "WHOLLY OWNED" INCLUDES LEASED, IF:

(1) (I) THE LEASE IS FOR A MINIMUM TERM OF 30 YEARS FOLLOWING PROJECT COMPLETION; OR

(II) THE LEASE AGREEMENT EXTENDS THE RIGHT OF PURCHASE TO THE LESSEE; AND

(2) THE LESSOR CONSENTS TO THE RECORDING IN THE LAND RECORDS OF THE COUNTY OR BALTIMORE CITY WHERE THE FACILITY IS LOCATED, OF A NOTICE OF THE STATE'S RIGHT OF RECOVERY AS PROVIDED UNDER § 24-1306 OF THIS SUBTITLE.