

B. IS NOT INCONSISTENT WITH THE STATE HEALTH PLAN OR ANY THE INSTITUTION SPECIFIC PLAN DEVELOPED BY THE COMMISSION; AND

C. WILL RESULT IN THE DELIVERY OF MORE EFFICIENT AND EFFECTIVE HEALTH CARE SERVICES; AND

D. IS IN THE PUBLIC INTEREST.

(3) WITHIN 45 DAYS OF RECEIVING NOTICE, THE COMMISSION SHALL NOTIFY THE HEALTH CARE FACILITY OF ITS FINDING.

(j) (1) A certificate of need is required before the type or scope of any health care service is changed if the health care service is offered:

(i) By a health care facility;

(ii) In space that is leased from a health care facility; or

(iii) In space that is on land leased from a health care facility.

(2) This subsection does not apply if:

(i) The Commission adopts limits for changes in health care services and the proposed change would not exceed those limits;

(ii) The proposed change would add a new health care service and, during a 1 year period, the annual operating revenue that would result from the addition is less than \$250,000 after an annual adjustment for inflation, based on an appropriate index specified by the Commission; [or]

(iii) The proposed change would increase or decrease the volume of one patient service and, during a 2 year period, the change is less than 25 percent of that volume[.]; OR

(IV) 1. AT LEAST ~~30~~ 45 DAYS BEFORE INCREASING OR DECREASING THE VOLUME OF 1 OR MORE PATIENT SERVICES, WRITTEN NOTICE OF INTENT TO CHANGE THE VOLUME OF PATIENT SERVICES IS FILED WITH THE COMMISSION; AND

2. ~~WITHIN--30--DAYS--OF--RECEIVING--NOTICE,~~ THE COMMISSION IN ITS SOLE DISCRETION FINDS THAT THE PROPOSED CHANGE:

A. IS PURSUANT TO THE CONSOLIDATION OR MERGER OF 2 OR MORE HEALTH CARE FACILITIES, OR CONVERSION OF A HEALTH CARE FACILITY OR PART OF A FACILITY TO A NONHEALTH RELATED USE;