

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

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

D. IS IN THE PUBLIC INTEREST--; AND

{3} {3} 3. WITHIN 45 DAYS OF RECEIVING NOTICE UNDER ITEM 1. OF THIS PARAGRAPH, THE COMMISSION SHALL NOTIFY THE HEALTH CARE FACILITY OF ITS FINDING.

{3} {4} (3) Notwithstanding the provisions of paragraph (2) of this subsection, a certificate of need is required:

(i) Before an additional home health agency, branch office, or home health care service is established by an existing health care agency or facility;

(ii) Before an existing home health agency or health care facility establishes a home health agency or home health care service at a location in the service area not included under a previous certificate of need or license; or

(iii) Before a transfer of ownership of any branch office of a home health agency or home health care service of an existing health care facility that separates the ownership of the branch office from the home health agency or home health care service of an existing health care facility which established the branch office.

(k) (1) A certificate of need is required before any of the following capital expenditures are made by or on behalf of a health care facility:

(i) Any expenditure that, under generally accepted accounting principles, is not properly chargeable as an operating or maintenance expense, if:

1. The expenditure is made as part of an acquisition, improvement, or expansion, and, after adjustment for inflation as provided in the regulations of the Commission, the total expenditure, including the cost of each study, survey, design, plan, working drawing, specification, and other essential activity, is more than \$600,000;

2. The expenditure is made as part of a replacement of any plant and equipment of the health care facility and is more than \$600,000 after adjustment for inflation as provided in the regulations of the Commission;

3. The expenditure results in a substantial change in the bed capacity of the health care facility;