

(iii) (II) ALLOWANCES TO PERMIT A SURVIVING INSTITUTION IN A MERGER TO GENERATE CAPITAL TO CONVERT A CLOSED FACILITY TO AN ALTERNATE USE; OR

(iv) (III) AGREEMENTS TO ALLOW RETENTION OF A PORTION OF THE SAVINGS THAT RESULT FOR A DESIGNATED PERIOD OF TIME.

19-123.

(A) NOTWITHSTANDING THE FACT THAT A MERGER OR CONSOLIDATION MAY LIMIT FREE ECONOMIC COMPETITION, THE COMMISSION MAY APPROVE THE MERGER OR CONSOLIDATION OF 2 OR MORE HOSPITALS IF IF THE MERGER OR CONSOLIDATION:

- (1) IS NOT INCONSISTENT WITH THE STATE HEALTH PLAN OR ANY INSTITUTION SPECIFIC PLAN;
- (2) WILL RESULT IN THE DELIVERY OF MORE EFFICIENT AND EFFECTIVE HOSPITAL SERVICES; AND
- (3) IS IN THE PUBLIC INTEREST.

(B) NOTWITHSTANDING THE FACT A MERGER OR CONSOLIDATION OR THE JOINT OWNERSHIP AND OPERATION OF MAJOR MEDICAL EQUIPMENT MAY LIMIT FREE ECONOMIC COMPETITION, A HOSPITAL MAY ENGAGE IN A MERGER OR CONSOLIDATION OR THE JOINT OWNERSHIP OF MAJOR MEDICAL EQUIPMENT THAT HAS BEEN APPROVED BY THE COMMISSION UNDER THIS SECTION.

19-207.2.

THE COMMISSION SHALL ASSESS A FEE ON ALL HOSPITALS WHOSE RATES HAVE BEEN APPROVED BY THE COMMISSION TO PAY FOR :

- (1) ANY PUBLIC BODY OBLIGATION, BOND, OR NOTE OF A CLOSED OR DELICENSED HOSPITAL PURSUANT TO ARTICLE 43C-~~4~~ § 16A OF THE CODE-; AND
- (2) FUNDING THE HOSPITAL EMPLOYEES RETRAINING FUND.

19-325.

(A) IF VOLUNTARY EFFORTS TO REDUCE EXCESS CAPACITY PROVE INSUFFICIENT, AS A LAST RESORT THE HEALTH RESOURCES PLANNING COMMISSION OR AND THE HEALTH SERVICES COST REVIEW COMMISSION MAY PETITION THE SECRETARY TO DELICENSE ANY HOSPITAL, AS DEFINED IN § 19-301-OF-THIS-TITLE, OR PART OF A HOSPITAL OR HOSPITAL SERVICE BASED ON A FINDING AFTER A PUBLIC HEARING THAT THE DELICENSEURE IS CONSISTENT WITH THE STATE HEALTH PLAN OR INSTITUTION SPECIFIC PLAN. THE PETITION SHALL SPECIFY IN DETAIL ALL EFFORTS MADE BY THE PETITIONER TO ENCOURAGE THE HOSPITAL:

- (1) TO REDUCE ITS UNDERUTILIZED CAPACITY;