

~~are organized (as a) INTO a professional (association) SERVICE CORPORATION; AND~~

~~B. DOES NOT CHARGE A FACILITY CHARGE; AND~~

~~C. DOES NOT PERMIT ANYONE OTHER THAN THE PARTNERS OR STOCKHOLDERS OF THE PROFESSIONAL SERVICE CORPORATION TO REGULARLY USE THE OFFICE AS PART OF ITS OFFICE PRACTICE; OR CENTER WHICH IS ANY ENTITY OR PART THEREOF THAT OPERATES PRIMARILY FOR THE PURPOSE OF PROVIDING SURGICAL SERVICES TO PATIENTS NOT REQUIRING HOSPITALIZATION AND SEEKS REIMBURSEMENT FROM THIRD PARTY PAYORS AS AN AMBULATORY SURGICAL FACILITY OR CENTER AND IS NOT PART OF AN OFFICE OF ONE OR MORE PRIVATE PHYSICIANS, PODIATRISTS, OR DENTISTS WHO DO NOT SEEK REIMBURSEMENT AS AN AMBULATORY SURGICAL FACILITY OR CENTER;~~

(v) An inpatient facility that is organized primarily to help in the rehabilitation of disabled individuals, through an integrated program of medical and other services provided under competent professional supervision;

(vi) A home health agency, as defined in § 19-401 of this title;

(vii) A hospice, as defined in § 19-901 of this title; and

(viii) Any other health institution, service, or program for which Part I of this subtitle requires a certificate of need.

(2) "Health care facility" does not include:

(i) A hospital or related institution that is operated, or is listed and certified, by the First Church of Christ Scientist, Boston, Massachusetts; or

(ii) For the purpose of providing an exemption from a certificate of need under § 19-115 of this subtitle, a facility to provide domiciliary, personal, or nursing care constructed by a provider of continuing care, as defined by Article 70B of the Code, if:

1. The facility is for the exclusive use of the provider's subscribers;

2. The number of comprehensive care nursing beds in the facility does not exceed 20 percent of the number of independent living units at the continuing care community; and

3. The facility is located on the campus of the continuing care facility; OR