

(vii) 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;

(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;

(iii) A kidney disease treatment facility, as defined by rule or regulation of the United States Department of Health and Human Services;

(iv) The kidney disease treatment stations and services provided by or on behalf of a hospital or related institution; or

(v) 1. The office of one or more private physicians, podiatrists, or dentists, regardless of whether such office is eligible or receives reimbursement from third party payors as an ambulatory surgical facility or center, if that office provides services only within a single medical or surgical subspecialty as determined by the Health Resources Planning Commission in regulation, if the office is used only for the physician's patients or patients of the group, and if the office includes not more than 4 surgical suites.

2. For the purposes of this paragraph subspecialty includes ophthalmology.

(f) "Health service area" means an area of this State that the Governor designates as appropriate for planning and developing of health services.