

- (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:

1. 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

2.] (II) THE PROPOSED CHANGE AND the annual operating revenue that would result from the addition is entirely associated with the use of medical equipment;

[(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]

(III) THE PROPOSED CHANGE WOULD ESTABLISH, INCREASE, OR DECREASE A HEALTH CARE SERVICE AND THE CHANGE WOULD NOT RESULT IN THE:

1. ESTABLISHMENT OF A NEW MEDICAL SERVICE OR ELIMINATION OF AN EXISTING MEDICAL SERVICE;

2. ESTABLISHMENT OF AN OPEN HEART SURGERY, ORGAN TRANSPLANT SURGERY, BURN OR NEONATAL INTENSIVE HEALTH CARE SERVICE;

3. ESTABLISHMENT OF A HOME HEALTH PROGRAM, HOSPICE PROGRAM, OR FREESTANDING AMBULATORY SURGICAL CENTER OR FACILITY PROGRAM; OR

4. EXPANSION OF A COMPREHENSIVE CARE PROGRAM, ~~INCLUDING AN INTERMEDIATE CARE OR EXTENDED CARE PROGRAM,~~ EXTENDED CARE, INTERMEDIATE CARE, RESIDENTIAL TREATMENT, PSYCHIATRY, OR REHABILITATION MEDICAL SERVICE, EXCEPT FOR AN EXPANSION RELATED TO AN INCREASE IN TOTAL BED CAPACITY IN ACCORDANCE WITH SUBSECTION (H)(2)(I) OF THIS SECTION; OR