

2. Within 45 days of receiving notice, the Commission in its sole discretion finds that the proposed consolidation, merger, or conversion:

A. Is not inconsistent with the State health plan or the institution-specific plan developed by the Commission as appropriate;

B. Will result in the delivery of more efficient and effective health care services; and

C. Is in the public interest; and

3. Within 45 days of receiving notice, the Commission shall notify the health care facility of its finding;

(vi) A capital expenditure by a nursing home for equipment, construction, or renovation that:

1. Is not directly related to patient care; and

2. Is not directly related to any change in patient charges or other rates; [or]

(vii) A capital expenditure by a hospital, as defined in § 19-301 of this title, for equipment, construction, or renovation that:

1. Is not directly related to patient care; and

2. Does not increase patient charges or hospital rates[.]; OR

(VIII) ~~NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION,~~ A CAPITAL EXPENDITURE BY A HOSPITAL AS DEFINED IN § 19-301 OF THIS TITLE, FOR A PROJECT IN EXCESS OF \$1,250,000 FOR ~~EQUIPMENT,~~ CONSTRUCTION OR RENOVATION THAT:

1. MAY BE RELATED TO PATIENT CARE; AND

2. DOES NOT REQUIRE, OVER THE ENTIRE PERIOD OR SCHEDULE OF DEBT SERVICE ASSOCIATED WITH THE PROJECT, A TOTAL CUMULATIVE INCREASE IN PATIENT CHARGES OR HOSPITAL RATES OF MORE THAN \$1,500,000 TO FINANCE OR AMORTIZE THE EXPENDITURE FOR THE CAPITAL COSTS ASSOCIATED WITH THE PROJECT AS DETERMINED BY THE COMMISSION, AFTER CONSULTATION WITH THE HEALTH SERVICES COST REVIEW COMMISSION.

3. AT LEAST 45 DAYS BEFORE THE PROPOSED EXPENDITURE IS MADE, THE HOSPITAL SHALL NOTIFY THE COMMISSION AND