

(m) In this section the terms "consolidation" and "merger" include increases and decreases in bed capacity or services among the components of an organization which:

(1) Operates more than one health care facility; or

(2) Operates one or more health care facilities and holds an outstanding certificate of need to construct a health care facility.

(N) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION OR--APPLICABLE--REGULATION, THE COMMISSION SHALL CONSIDER THE SPECIAL NEEDS AND CIRCUMSTANCES OF A COUNTY WHERE A MEDICAL SERVICE, AS DEFINED IN THIS SECTION, DOES NOT EXIST; AND

(2) THE COMMISSION SHALL CONSIDER AND MAY APPROVE UNDER THIS SUBSECTION A CERTIFICATE OF NEED APPLICATION TO ESTABLISH, BUILD, OPERATE, OR PARTICIPATE IN A HEALTH CARE PROJECT, ~~EXCEPT FOR THE ESTABLISHMENT OR CONSTRUCTION OF A NEW HEALTH CARE FACILITY,~~ TO PROVIDE A NEW MEDICAL SERVICE IN A COUNTY IF THE COMMISSION, IN ITS SOLE DISCRETION, FINDS THAT:

(I) THE PROPOSED MEDICAL SERVICE DOES NOT EXIST IN THE COUNTY THAT THE PROJECT WOULD BE LOCATED;

(II) THE PROPOSED MEDICAL SERVICE IS NECESSARY TO MEET THE HEALTH CARE NEEDS OF THE RESIDENTS OF THAT COUNTY;

(III) THE PROPOSED MEDICAL SERVICE WOULD HAVE A POSITIVE IMPACT ON THE EXISTING HEALTH CARE SYSTEM;

(IV) THE PROPOSED MEDICAL SERVICE WOULD RESULT IN THE DELIVERY OF MORE EFFICIENT AND EFFECTIVE HEALTH CARE SERVICES TO THE RESIDENTS OF THAT COUNTY; AND

~~(V)~~ (V) THE APPLICATION MEETS ANY OTHER STANDARDS OR REGULATIONS ESTABLISHED BY THE COMMISSION TO APPROVE APPLICATIONS UNDER THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of § 19-115 of the Health - General Article or applicable regulations of the Health Resources Planning Commission, a hospital, as defined in § 19-301 of the Health - General Article, may increase or decrease an existing acute psychiatric medical service during a 1-year period by 15 beds or 50 percent, whichever is less.

SECTION 2- 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

Approved May 27, 1988.