

2. The Commission in its sole discretion finds that the proposed change:

A. Is pursuant to the consolidation or merger of 2 or more health care facilities, or conversion of a health care facility or part of a facility to a nonhealth-related use;

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

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

D. Is in the public interest.

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

(i) (1) A certificate of need is required before the type or scope of any health care service is changed if the health care service is offered:

(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]