

CARE PRACTITIONER OR THE IMMEDIATE FAMILY MEMBER OF THE HEALTH CARE PRACTITIONER TO RELOCATE TO THE GEOGRAPHIC AREA SERVED BY THE HEALTH CARE ENTITY IN ORDER TO BE A MEMBER OF THE MEDICAL STAFF OF A HOSPITAL, IF:

1. THE HEALTH CARE PRACTITIONER OR THE IMMEDIATE FAMILY MEMBER OF THE HEALTH CARE PRACTITIONER IS NOT REQUIRED TO REFER PATIENTS TO THE HEALTH CARE ENTITY;

2. THE AMOUNT OF THE COMPENSATION UNDER THE ARRANGEMENT IS NOT DETERMINED IN A MANNER THAT TAKES INTO ACCOUNT, DIRECTLY OR INDIRECTLY, THE VOLUME OR VALUE OF ANY REFERRALS BY THE REFERRING HEALTH CARE PRACTITIONER; AND

3. THE HEALTH CARE ENTITY NEEDS THE SERVICES OF THE PRACTITIONER TO MEET COMMUNITY HEALTH CARE NEEDS AND HAS HAD DIFFICULTY IN RECRUITING A PRACTITIONER; OR

(VI) PAYMENTS MADE FOR THE RENTAL OR LEASE OF OFFICE SPACE IF THE PAYMENTS ARE:

1. AT FAIR MARKET VALUE; AND

2. IN ACCORDANCE WITH AN ARM'S LENGTH TRANSACTION.

(D) "DIRECT SUPERVISION" MEANS A HEALTH CARE PRACTITIONER IS PRESENT ON THE PREMISES WHERE THE HEALTH CARE SERVICES OR TESTS ARE PROVIDED AND IS AVAILABLE FOR CONSULTATION WITHIN THE TREATMENT AREA.

~~(D)~~ (E) "FACULTY PRACTICE PLAN" MEANS A TAX EXEMPT ORGANIZATION ESTABLISHED UNDER MARYLAND LAW BY OR AT THE DIRECTION OF A UNIVERSITY TO ACCOMMODATE THE PROFESSIONAL PRACTICE OF MEMBERS OF THE FACULTY WHO ARE HEALTH CARE PRACTITIONERS.

~~(E)~~ (F) "GROUP PRACTICE" MEANS A GROUP OF TWO OR MORE HEALTH CARE PRACTITIONERS LEGALLY ORGANIZED AS A PARTNERSHIP, PROFESSIONAL CORPORATION, FOUNDATION, NOT-FOR-PROFIT CORPORATION, FACULTY PRACTICE PLAN, OR SIMILAR ASSOCIATION:

(1) IN WHICH EACH HEALTH CARE PRACTITIONER WHO IS A MEMBER OF THE GROUP PROVIDES SUBSTANTIALLY THE FULL RANGE OF SERVICES WHICH THE PRACTITIONER ROUTINELY PROVIDES THROUGH THE JOINT USE OF SHARED OFFICE SPACE, FACILITIES, EQUIPMENT, AND PERSONNEL;

(2) FOR WHICH SUBSTANTIALLY ALL OF THE SERVICES OF THE HEALTH CARE PRACTITIONERS WHO ARE MEMBERS OF THE GROUP ARE PROVIDED THROUGH THE GROUP AND ARE BILLED IN THE NAME OF THE GROUP AND AMOUNTS SO RECEIVED ARE TREATED AS RECEIPTS OF THE GROUP; AND

(3) IN WHICH THE OVERHEAD EXPENSES OF AND THE INCOME FROM THE PRACTICE ARE DISTRIBUTED IN ACCORDANCE WITH METHODS PREVIOUSLY DETERMINED ON AN ANNUAL BASIS BY MEMBERS OF THE GROUP.