

~~(ii) The relocation is the result of a partial or complete replacement of an existing hospital or related institution, as defined in § 19-301 of this title, and the relocation is to another part of the site or immediately adjacent to the site of the existing hospital or related institution; OR~~

~~(iii) ALL OR PART OF A HOSPITAL'S EXISTING AMBULATORY SURGICAL CAPACITY IS RELOCATED TO ANOTHER SITE TO ESTABLISH AN AMBULATORY SURGICAL FACILITY PROVIDED THAT:~~

~~1. THE HOSPITAL DOES NOT HAVE A FINANCIAL OR OWNERSHIP INTEREST IN AN EXISTING MULTISPECIALTY AMBULATORY SURGICAL FACILITY OTHER THAN THE FACILITY PROPOSED FOR RELOCATION;~~

~~2. THE HOSPITAL IS LOCATED WITHIN 3 MILES OF DELAWARE, PENNSYLVANIA, VIRGINIA, WEST VIRGINIA, OR THE DISTRICT OF COLUMBIA AND WITHIN 5 MILES OF A HOSPITAL LOCATED OUTSIDE OF THIS STATE;~~

~~3. THE NEW AMBULATORY SURGICAL FACILITY IS LOCATED IN THE SAME HEALTH SERVICE AREA AS THE HOSPITAL AND WITHIN 3 MILES OF THE HOSPITAL; AND~~

~~4. A HOSPITAL PROPOSING TO RELOCATE EXISTING AMBULATORY SURGICAL CAPACITY TO ESTABLISH AN AMBULATORY SURGICAL FACILITY PROVIDES NOTICE TO THE COMMISSION NO LATER THAN JUNE 30, 1998.~~

~~(i) (5) This subsection does not apply to:~~

~~(X) RELOCATION OF HOSPITAL BASED AMBULATORY SURGICAL CAPACITY PURSUANT TO PARAGRAPH (G)(2)(III) OF THIS SECTION.~~

~~(7) EXCEPT AS PROVIDED IN PARAGRAPH (5) (X) OF THIS SUBSECTION, NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO PERMIT A HOSPITAL TO BUILD OR EXPAND ITS AMBULATORY SURGICAL CAPACITY IN ANY SETTING OWNED OR CONTROLLED BY THE HOSPITAL WITHOUT OBTAINING A CERTIFICATE OF NEED FROM THE COMMISSION.~~

19-118.

(a) If the Commission receives an application for a certificate of need for a change in the bed capacity of a health care facility, as required under § 19-115 of this subtitle, or for a health care project that would create a new health care service or abolish an existing health care service, the Commission shall give notice of the filing by publication in the Maryland Register and give the following notice to:

(1) Each member of the General Assembly in whose district the action is planned;

(2) Each member of the governing body for the county where the action is planned;

(3) The county executive, mayor, or chief executive officer, if any, in whose county or city the action is planned; and