

~~19-115.~~

~~(j) (7) Nothing in this subsection may be construed to permit a hospital to build or expand its ambulatory surgical capacity OR ITS AMBULATORY PRIMARY CARE CAPACITY in any setting owned or controlled by the hospital without obtaining a certificate of need from the Commission.~~

~~19-118.~~

~~(f) (1) If any party or interested person requests an evidentiary hearing with respect to a certificate of need application for any health care facility other than an ambulatory surgical facility OR AMBULATORY PRIMARY CARE FACILITY and the Commission, in accordance with criteria it has adopted by regulation, considers an evidentiary hearing appropriate due to the magnitude of the impact that the proposed project may have on the health care delivery system, the Commission or a committee of the Commission shall hold the hearing in accordance with the contested case procedures of the Administrative Procedure Act.~~

~~(2) Except as provided in this section or in regulations adopted by the Commission to implement the provisions of this section, the review of an application for a certificate of need for an ambulatory surgical facility OR AMBULATORY PRIMARY CARE FACILITY is not subject to the contested case procedures of Title 10, Subtitle 2 of the State Government Article.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the changes made by this Act to Title 19, Subtitle 1 of the Health General Article do not apply to any person:~~

~~(1) Requiring a determination from the State Health Resources Planning Commission of whether a certificate of need is required to build a new ambulatory primary care facility or to expand existing ambulatory primary care capacity in any setting that has requested or received the determination on or before June 30, 1996 and has obligated not less than \$25,000 in reliance on that determination on or before June 30, 1996; or~~

~~(2) Certified by Medicare to receive reimbursement as an ambulatory primary care facility on or before June 30, 1996.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That nothing in this Act may be construed to require any existing and operating ambulatory primary care facility to obtain a certificate of need if the facility has previously requested and received a determination from the State Health Resources Planning Commission that the facility is exempt from the certificate of need requirements, unless the facility seeks to expand its primary care capacity after July 1, 1996.~~

(a) The Health Resources Planning Commission, in consultation with the Department of Health and Mental Hygiene and the Health Services Cost Review Commission, shall study the impact on existing community health centers and other primary care providers of any law, regulation, grant of a federal waiver, and any other governmental action that authorizes or requires the enrollment of Maryland Medical Assistance Program recipients into managed care plans or organizations.

(b) The study shall include: