

set according to Medicare standards and principles for retrospective cost reimbursement as described in 42 CFR Part 413 or on the basis of charges, whichever is less.

(II) THE REIMBURSEMENT RATE FOR A HOSPITAL THAT HAS TRANSFERRED OUTPATIENT ONCOLOGY, DIAGNOSTIC, REHABILITATIVE, AND DIGESTIVE DISEASE SERVICES TO AN OFF-SITE FACILITY PRIOR TO JANUARY 1, 1999 SHALL BE SET ACCORDING TO THE RATES APPROVED BY THE HEALTH SERVICES COST REVIEW COMMISSION IF:

1. THE TRANSFER OF SERVICES WAS DUE TO ZONING RESTRICTIONS AT THE HOSPITAL CAMPUS;

2. THE OFF-SITE FACILITY IS SURVEYED AS PART OF THE HOSPITAL FOR PURPOSES OF ACCREDITATION BY THE JOINT COMMISSION ON THE ACCREDITATION OF HEALTHCARE ORGANIZATIONS; AND

3. THE HOSPITAL NOTIFIES THE HEALTH SERVICES COST REVIEW COMMISSION IN WRITING BY JULY 1, 1999 THAT THE HOSPITAL WOULD LIKE THE SERVICES PROVIDED AT THE OFF-SITE FACILITY SUBJECT TO TITLE 19, SUBTITLE 2 OF THE HEALTH - GENERAL ARTICLE.

~~SECTION 2. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND AND BE IT FURTHER ENACTED,~~ That, notwithstanding any provision of § 19-201 of the Health - General Article, a hospital that has transferred outpatient oncology, diagnostic, rehabilitative, and digestive disease services to an off-site facility prior to January 1, 1999 may elect to have these outpatient services subject to Title 19, Subtitle 2 of the Health - General Article if:

(a) the transfer was due to zoning restrictions at the hospital campus;

(b) the off-site facility is surveyed as part of the hospital for purposes of accreditation by the Joint Commission on the Accreditation of Healthcare Organizations; and

(c) the hospital notifies the Health Services Cost Review Commission in writing by July 1, 1999 that the hospital would like the services provided at the off-site facility subject to Title 19, Subtitle 2 of the Health - General Article.

~~SECTION 2. 3. AND BE IT FURTHER ENACTED,~~ That this Act shall take effect June 1, 1999.

Approved May 27, 1999.