

(c) The Commission shall adopt rules and regulations for applying for and issuing certificates of need.

(d) [(1)] The Commission may adopt, after October 1, 1983, new thresholds or methods for determining the circumstances or minimum cost requirements under which a certificate of need application must be filed. [The Commission shall study alternative approaches and recommend alternatives that will streamline the current process, and provide incentives for management flexibility through the reduction of instances in which applicants must file for a certificate of need.

(2) The Commission shall conduct this study and report to the General Assembly by October 1, 1985.]

(e) (1) A person shall have a certificate of need issued by the Commission before the person develops, operates, or participates in any of the following health care projects for which a certificate of need is required under this section.

(2) A certificate of need issued prior to January 13, 1987 may not be rendered wholly or partially invalid solely because certain conditions have been imposed, if an appeal concerning the certificate of need, challenging the power of the Commission to impose certain conditions on a certificate of need, has not been noted by an aggrieved party before January 13, 1987.

(f) Except as provided in subsection (g)(2)(iii) of this section, a certificate of need is required before a new health care facility is built, developed, or established.

(g) (1) A certificate of need is required before an existing or previously approved, but unbuilt, health care facility is moved to another site.

(2) This subsection does not apply if:

(i) The Commission adopts limits for relocations and the proposed relocation does not exceed those limits;

(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) 1. THE RELOCATION IS TO:~~

~~A. ANOTHER AREA ON OR IMMEDIATELY ADJACENT TO THE SITE OF THE EXISTING HOSPITAL OR RELATED INSTITUTION; OR~~

~~B. A SITE WITHIN THE PRIMARY SERVICE AREA OF THE EXISTING HOSPITAL OR RELATED INSTITUTION; AND~~

~~2. AT LEAST 45 DAYS PRIOR TO THE RELOCATION, NOTICE OF THE PROPOSED RELOCATION IS FILED WITH THE COMMISSION; OR~~

(iii) SUBJECT TO THE PROVISIONS OF SUBSECTIONS (I) AND (J) OF THIS SECTION, THE RELOCATION IS OF AN EXISTING HEALTH CARE FACILITY OWNED OR CONTROLLED BY A MERGED ASSET SYSTEM AND IS TO: