

(l) A certificate of need is not required to close any hospital or part of a hospital as defined in § 19-301 of this title if:

[(1) At least 45 days before closing, written notice of intent to close is filed with the Commission;

(2) The Commission in its sole discretion finds that the proposed closing is not inconsistent with the State health plan or the institution-specific plan developed by the Commission and is in the public interest; and

(3) Within 45 days of receiving notice the Commission notifies the health care facility of its findings.]

(1) (I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AT LEAST 45 DAYS BEFORE THE CLOSING OR PARTIAL CLOSING OF A HOSPITAL, INCLUDING A STATE HOSPITAL, A PERSON PROPOSING TO CLOSE ALL OR PART OF THE HOSPITAL FILES NOTICE OF THE PROPOSED CLOSING OR PARTIAL CLOSING WITH THE COMMISSION; AND

(II) WITHIN 30 DAYS AFTER RECEIPT OF THE NOTICE OF INTENT TO CLOSE, THE ~~COMMISSION HOSPITAL~~, IN CONSULTATION WITH THE ~~HOSPITAL COMMISSION~~, HOLDS A PUBLIC INFORMATIONAL HEARING IN THE COUNTY WHERE THE HOSPITAL IS LOCATED; OR

(2) (I) FOR A HOSPITAL LOCATED IN A COUNTY WITH FEWER THAN THREE HOSPITALS, AT LEAST 45 DAYS BEFORE THE CLOSING OR PARTIAL CLOSING OF THE HOSPITAL, A PERSON PROPOSING TO CLOSE ALL OR PART OF THE HOSPITAL FILES NOTICE OF THE PROPOSED CLOSING OR PARTIAL CLOSING WITH THE COMMISSION; AND

(II) THE COMMISSION FINDS THAT THE CLOSING:

1. IS IN THE PUBLIC INTEREST; AND

2. IS NOT INCONSISTENT WITH:

A. THE STATE HEALTH PLAN; OR

B. AN INSTITUTION-SPECIFIC PLAN DEVELOPED BY THE COMMISSION UNDER § 19-114.1 OF THIS SUBTITLE.

(m) In this section the terms "consolidation" and "merger" include increases and decreases in bed capacity or services among the components of an organization which:

(1) Operates more than one health care facility; or

(2) Operates one or more health care facilities and holds an outstanding certificate of need to construct a health care facility.

(n) (1) Notwithstanding any other provision of this section, the Commission shall consider the special needs and circumstances of a county where a medical service, as defined in this section, does not exist; and