

19-111. RESERVED.

19-112. RESERVED.

19-113. RESERVED.

PART II. HEALTH PLANNING AND DEVELOPMENT.

[19-101.] 19-114.

(a) In [Part I] THIS PART II of this subtitle the following words have the meanings indicated.

(b) (1) "Ambulatory surgical facility" means any center, service, office, facility, or office of one or more health care practitioners or a group practice, as defined in § 1-301 of the Health Occupations Article, that:

- (i) Has two or more operating rooms;
- (ii) Operates primarily for the purpose of providing surgical services to patients who do not require overnight hospitalization; and
- (iii) Seeks reimbursement from payors as an ambulatory surgical facility.

(2) For purposes of this subtitle, the office of one or more health care practitioners or a group practice with two operating rooms may be exempt from the certificate of need requirements under this subtitle if the Commission finds, in its sole discretion, that:

- (i) A second operating room is necessary to promote the efficiency, safety, and quality of the surgical services offered; and
- (ii) The office meets the criteria for exemption from the certificate of need requirements as an ambulatory surgical facility in accordance with regulations adopted by the Commission.

(c) "Certificate of need" means a certification of public need issued by the Commission under this [subtitle] PART II OF THIS SUBTITLE for a health care project.

(d) ["Commission" means the State Health Resources Planning Commission.

(e) "Federal Act" means the National Health Planning and Resources Development Act of 1974 (Public Law 93-641), as amended.

[(f)] (E) (1) "Health care facility" means:

- (i) A hospital, as defined in § 19-301 of this title;
- (ii) A related institution, as defined in § 19-301 of this title;
- (iii) An ambulatory surgical facility;