

indirectly, or is controlled by a health maintenance organization is not required to obtain a certificate of need before purchasing an existing ambulatory surgical facility or center, as defined in [§ 19-101(f) of this title] § 19-114(B) OF THIS SUBTITLE.

(c) An application for a certificate of need by a health maintenance organization or by a health care facility that either controls, directly or indirectly, or is controlled by, a health maintenance organization shall be approved if the Commission finds that the application:

(1) Documents that the project is necessary to meet the needs of enrolled members and reasonably anticipated new members for the services proposed to be provided by the applicant; and

(2) Is not inconsistent with those sections of the State health plan or those sections of the institution-specific plan that govern hospitals, as defined in § 19-301 of this title, and ambulatory surgical facilities or centers, as defined in [§ 19-101(f)] § 19-114(B) of this subtitle, or health care projects for which a certificate of need is required under subsection (b)(1)(ii) of this section.

[19-116.1.] 19-125.

A certificate of need is not required to delete, expand, develop, operate, or participate in a health care project for domiciliary care.

[19-117.] 19-126.

A certificate of need is required before an ambulatory care facility:

(1) Offers any health service:

(i) Through a health care facility;

(ii) In space leased from a health care facility; or

(iii) In space on land leased from a health care facility;

(2) To provide those services, makes an expenditure, if a certificate of need would be required under [§ 19-115(j)] § 19-123(J) of this subtitle for the expenditure by or on behalf of a health care facility; OR

(3) [Acquires medical equipment if a certificate of need would be required under § 19-115(k) of this subtitle for the acquisition by a health care facility; or

(4) Does anything else for which the Federal Act requires a certificate of need and that the Commission has not exempted from that requirement.

[19-118.] 19-127.

(a) If the Commission receives an application for a certificate of need for a change in the bed capacity of a health care facility, as required under [§ 19-115] § 19-123 of this subtitle, or for a health care project that would create a new health care service or abolish an existing health care service, the Commission shall give notice of the filing by publication in the Maryland Register and give the following notice to: