

- (i) A hospital, as defined in § 19-301(g) of this title;
- (ii) A limited service hospital, as defined in § 19-301(e) of this title;
- (iii) A related institution, as defined in § 19-301 of this title;
- (iv) An ambulatory surgical facility;
- (v) An inpatient facility that is organized primarily to help in the rehabilitation of disabled individuals, through an integrated program of medical and other services provided under competent professional supervision;
- (vi) A home health agency, as defined in § 19-401 of this title;
- (vii) A hospice, as defined in § 19-901 of this title; and
- (viii) Any other health institution, service, or program for which this Part II of this subtitle requires a certificate of need.

(2) "Health care facility" does not include:

(i) A hospital or related institution that is operated, or is listed and certified, by the First Church of Christ Scientist, Boston, Massachusetts;

(ii) For the purpose of providing an exemption from a certificate of need under § 19-123 of this subtitle, a facility to provide comprehensive care constructed by a provider of continuing care, as defined by Article 70B of the Code, if:

1. Except as provided under § 19-125.1 of this subtitle, the facility is for the exclusive use of the provider's subscribers who have executed continuing care agreements for the purpose of utilizing independent living units or assisted living units within the continuing care community;

2. [The number of comprehensive care nursing beds in the facility does not exceed 20 percent of the number of independent living units at the continuing care community; and

3.] The facility is located on the campus of the continuing care community; AND

3. THE NUMBER OF COMPREHENSIVE CARE NURSING BEDS IN THE COMMUNITY DOES NOT EXCEED:

A. 24 PERCENT OF THE NUMBER OF INDEPENDENT LIVING UNITS IN A COMMUNITY HAVING LESS THAN 300 INDEPENDENT LIVING UNITS; OR

B. 20 PERCENT OF THE NUMBER OF INDEPENDENT LIVING UNITS IN A COMMUNITY HAVING 300 OR MORE INDEPENDENT LIVING UNITS;

(iii) Except for a facility to provide kidney transplant services or programs, a kidney disease treatment facility, as defined by rule or regulation of the United States Department of Health and Human Services;