

generally relating to the requirements of continuing care communities.

BY repealing and reenacting, with amendments,

Article - Health - General

Section 19-101(e)(2)

Annotated Code of Maryland

(1990 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Health - General**

19-101.

(e) (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 § 19-115 of this subtitle, a facility to provide [domiciliary, personal, or nursing] COMPREHENSIVE care constructed by a provider of continuing care, as defined by Article 70B of the Code, if:

1. 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 DOMICILIARY CARE WITHIN THE CONTINUING CARE FACILITY;

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 facility;

(iii) A kidney disease treatment facility, as defined by rule or regulation of the United States Department of Health and Human Services;

(iv) The kidney disease treatment stations and services provided by or on behalf of a hospital or related institution; or

(v) 1. The office of one or more private physicians, podiatrists, or dentists, regardless of whether such office is eligible or receives reimbursement from third party payors as an ambulatory surgical facility or center, if that office provides services only within a single medical or surgical subspecialty as determined by the Health Resources Planning Commission in regulation, if the office is used only for the physician's patients or patients of the group, and if the office includes not more than 4 surgical suites.

2. For the purposes of this paragraph subspecialty includes