

Article - Health - General

19-101.

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

(iii) [A] 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;

(iv) [The] EXCEPT FOR KIDNEY TRANSPLANT SERVICES OR PROGRAMS, THE kidney disease treatment stations and services provided by or on behalf of a hospital or related institution; or

19-107.1.

Subject to the provisions of the Maryland Program Evaluation Act, the provisions of this subtitle and of any rule or regulation relating to the State Health Resources Planning Commission under this subtitle shall terminate and be of no effect after July 1, [1993] 2003.

19-116.

(a) In this section, "health maintenance organization" means a health maintenance organization under Subtitle 7 of this title [or under the federal Public Health Service Act of 1975.

(b) Except as required by federal law, a certificate of need is not required for a health maintenance organization or a health care facility controlled directly or indirectly by a health maintenance organization. However, if the federal Public Health Service Act is repealed in whole or in such parts as it refers to health maintenance organizations, health maintenance organizations are subject to the provisions of Chapter 108 (H.B. 1637) of the Acts of the General Assembly of 1982].

(B) (1) A HEALTH MAINTENANCE ORGANIZATION OR A HEALTH CARE FACILITY THAT EITHER CONTROLS, DIRECTLY OR INDIRECTLY, OR IS CONTROLLED BY A HEALTH MAINTENANCE ORGANIZATION SHALL HAVE A CERTIFICATE OF NEED BEFORE THE HEALTH MAINTENANCE ORGANIZATION OR HEALTH CARE FACILITY BUILDS, DEVELOPS, OPERATES, PURCHASES, OR PARTICIPATES IN BUILDING, DEVELOPING, OPERATING, OR ESTABLISHING:

(I) A HOSPITAL, AS DEFINED IN § 19-301 OF THIS TITLE, OR AN AMBULATORY SURGICAL FACILITY OR CENTER, AS DEFINED IN § 19-101(E) OF THIS SUBTITLE; AND

(II) ANY OTHER HEALTH CARE PROJECT FOR WHICH A CERTIFICATE OF NEED IS REQUIRED UNDER § 19-115 OF THIS SUBTITLE IF THAT HEALTH CARE PROJECT IS PLANNED FOR OR USED BY ANY NONSUBSCRIBERS OF THAT HEALTH MAINTENANCE ORGANIZATION.