

(f) [A] EXCEPT AS PROVIDED IN SUBSECTION (G)(2)(III) OF THIS SECTION, A certificate of need is required before a new health care facility is built, developed, or established.

(g) (1) A certificate of need ~~OR MODIFICATION TO A PREVIOUSLY ISSUED CERTIFICATE OF NEED~~ is required before [a] AN EXISTING OR PREVIOUSLY APPROVED, BUT UNBUILT, health care facility is moved to another site.

(2) This subsection does not apply if:

(i) The Commission adopts limits for relocations and the proposed relocation does not exceed those limits; [or]

(ii) The relocation is the result of a partial or complete replacement of an existing hospital or related institution, as defined in § 19-301 of this title, and the relocation is to another part of the site or immediately adjacent to the site of the existing hospital or related institution; OR

(III) THE RELOCATION INVOLVES MOVING A PORTION OF A COMPLEMENT OF COMPREHENSIVE CARE BEDS PREVIOUSLY APPROVED BY THE COMMISSION AFTER JANUARY 1, 1995 FOR USE IN A PROPOSED NEW RELATED INSTITUTION, AS DEFINED IN § 19-301 OF THIS TITLE, BUT UNBUILT ON OCTOBER 1, 1998 IF:

1. THE COMPREHENSIVE CARE BEDS THAT WERE ORIGINALLY APPROVED BY THE COMMISSION IN A PRIOR CERTIFICATE OF NEED REVIEW WERE APPROVED FOR USE IN A PROPOSED NEW RELATED INSTITUTION TO BE LOCATED IN A MUNICIPAL CORPORATION WITHIN CARROLL COUNTY IN WHICH A RELATED INSTITUTION IS NOT LOCATED;

2. THE COMPREHENSIVE CARE BEDS BEING RELOCATED WILL BE USED TO ESTABLISH AN ADDITIONAL NEW RELATED INSTITUTION THAT IS LOCATED IN ANOTHER MUNICIPAL CORPORATION WITHIN CARROLL COUNTY IN WHICH A RELATED INSTITUTION IS NOT LOCATED;

3. THE COMPREHENSIVE CARE BEDS NOT BEING RELOCATED ARE INTENDED TO BE USED TO ESTABLISH A RELATED INSTITUTION ON THE ORIGINAL SITE; AND

4. BOTH THE PREVIOUSLY APPROVED COMPREHENSIVE CARE BEDS FOR USE ON THE ORIGINAL SITE AND THE RELOCATED COMPREHENSIVE CARE BEDS FOR USE ON THE NEW SITE WILL BE USED AS COMPONENTS OF SINGLE BUILDINGS ON EACH SITE THAT ALSO OFFER INDEPENDENT OR ASSISTED LIVING RESIDENTIAL UNITS.

(3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, A CERTIFICATE OF NEED OR MODIFICATION TO A PREVIOUSLY ISSUED CERTIFICATE OF NEED IS NOT REQUIRED FOR A RELOCATION DESCRIBED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 1998.