

(2) This subsection does not apply if:

(i) The Commission adopts limits for changes in health care services and the proposed change would not exceed those limits;

(ii) The proposed change would add a new health care service and, during a 1 year period, the annual operating revenue that would result from the addition is less than \$250,000 after an annual adjustment for inflation, based on an appropriate index specified by the Commission; or

(iii) The proposed change would increase or decrease the volume of one patient service and, during a 2 year period, the change is less than 25 percent of that volume.

~~(3)-(i) THIS PARAGRAPH SUBSECTION (J) (1) OF THIS SECTION DOES NOT REQUIRE AN EXISTING HOME HEALTH AGENCY OR HOME HEALTH SERVICE HEALTH CARE FACILITY THAT PROVIDES HOME HEALTH CARE SERVICES TO OBTAIN A CERTIFICATE OF NEED FOR EXPANSION INTO NEW HOME HEALTH CARE SERVICES AT A LOCATION ALLOWED UNDER A PREVIOUS CERTIFICATE OF NEED OR LICENSE.~~

~~(ii)~~ (3) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION, A CERTIFICATE OF NEED IS REQUIRED:

1- (I) BEFORE THE ESTABLISHMENT OF ANY AN ADDITIONAL HOME HEALTH AGENCY, BRANCH OFFICE, OR HOME HEALTH SERVICE CARE SERVICE IS ESTABLISHED BY AN EXISTING HEALTH CARE AGENCY OR FACILITY;

2- (II) BEFORE THE EXPANSION OF AN EXISTING HOME HEALTH AGENCY OR HOME HEALTH SERVICE BY THE ESTABLISHMENT OF HEALTH CARE FACILITY ESTABLISHES A HOME HEALTH AGENCY OR HOME HEALTH CARE SERVICE AT A LOCATION OTHER THAN THE LOCATION ALLOWED IN THE SERVICE AREA NOT INCLUDED UNDER A PREVIOUS CERTIFICATE OF NEED OR LICENSE; AND OR

3- (III) BEFORE A TRANSFER OF OWNERSHIP OF ANY BRANCH OFFICE OF A HOME HEALTH AGENCY OR HOME HEALTH SERVICE CARE SERVICE OF AN EXISTING HEALTH CARE FACILITY THAT SEPARATES THE OWNERSHIP OF THE BRANCH OFFICE FROM THE HOME HEALTH AGENCY OR HOME HEALTH SERVICE CARE SERVICE OF AN EXISTING HEALTH CARE FACILITY WHICH ESTABLISHED THE BRANCH OFFICE.

(k) (1) A certificate of need is required before any of the following capital expenditures are made by or on behalf of a health care facility:

(i) Any expenditure that, under generally accepted accounting principles, is not properly chargeable as an operating or maintenance expense, if: