

(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]

1. 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

2. --THE---CHANGE---WOULD---RESULT---FROM---THE LEASE,-ACQUISITION,-OR-USE-OF-MEDICAL-EQUIPMENT,-OR

2. THE ANNUAL OPERATING REVENUE THAT WOULD RESULT FROM THE ADDITION IS ENTIRELY ASSOCIATED WITH THE USE OF MEDICAL EQUIPMENT; 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) Notwithstanding the provisions of paragraph (2) of this subsection, a certificate of need is required:

(i) Before an additional home health agency, branch office, or home health care service is established by an existing health care agency or facility;

(ii) Before an existing home health agency or health care facility establishes a home health agency or home health care service at a location in the service area not included under a previous certificate of need or license; or

(iii) Before a transfer of ownership of any branch office of a home health agency or home health care service of an existing health care facility that separates the ownership of the branch office from the home health agency or home health care service of an existing health care facility which established the branch office.

(k) (5) This subsection does not apply to:

(i) Site acquisition; [or]

(ii) Acquisition of a health care facility if, at least 30 days before making the contractual arrangement to acquire the facility, written notice of the intent to make the arrangement is filed with the Commission and the Commission does not find, within 30 days after the Commission receives notice, that the health services or bed capacity of the facility will be changed;