**PROPOSAL**

**Maryland Register**

**Issue Date: December 20, 2019**

**Volume 46 • Issue 26 • Page 1178-1179**

**Title 10  
MARYLAND DEPARTMENT OF HEALTH**

**Subtitle 07 HOSPITALS**

**10.07.01 Acute General Hospitals and Special Hospitals**

Authority: Health-General Article, §§308, 19-318, 19-319, 19-320, *19-321,* and *19-322,* **[**19-323,**]**Annotated Code of Maryland

**Notice of Proposed Action**

[19-256-P]

     The Secretary of Health proposes to amend Regulation **.06** under **COMAR 10.07.01 Acute General Hospitals and Special Hospitals**.

**Statement of Purpose**

The purpose of this action is to enable the Department to approve licensure for certain off-campus hospital-owned and -operated outpatient sites—provided that the Health Services Cost Review Commission determines the sites qualify for hospital rates under the hospital rate setting system.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Jake Whitaker, Acting Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through January 21, 2020. A public hearing has not been scheduled.

**.06 Separate License Required.**

A. Separate licenses are required for institutions maintained on separate premises, even though both institutions are operated under the same management**[**.**]***,**with the exception of outpatient surgical services that:*

*(1) Are provided on the campus of a licensed freestanding medical facility created through the conversion of a hospital approved by the Maryland Health Care Commission; and*

*(2) Have been determined by the Maryland Health Services Cost Review Commission to be subject to its rate setting jurisdiction.*

B. (text unchanged)

*C. The Department may issue a waiver for Regulation .06A if the Department determines that:*

*(1) The off-campus hospital site would provide only nonsurgical outpatient services;*

*(2) The waiver would not adversely affect the safety and health of patients served at the off-campus hospital site; and*

*(3) The Health Services Cost Review Commission agrees to assert rate-setting jurisdiction over the services provided at the off-campus hospital site consistent with the licensing status approved by the Department.*

ROBERT R. NEALL  
Secretary of Health