§ 3651. Exemptions. The provisions of this article shall not apply to:

1. Hospitals certified pursuant to article twenty-eight of this chapter.

2. The following entities and practitioners, unless these entities or practitioners furnish home medical equipment services through a separate corporate entity, division, or other business entity:

(a) Home care service agencies, certified home health agencies, long term home health care programs, licensed home care services agencies and limited licensed home care service agencies, as defined under section thirty-six hundred two of this chapter;

(b) Exempt agencies, as defined under section thirty-six hundred nineteen of this chapter;

(c) Manufacturers and wholesale distributors of home medical equipment not engaged in direct sales to a patient;

(d) Health care practitioners authorized by law to prescribe home medical equipment, order home medical equipment, or use home medical equipment to treat their patients, including but not limited to physicians, nurses, physical therapists, respiratory therapists, occupational therapists, speech pathologists, optometrists, chiropractors and podiatrists;

(e) Hospice programs;

(f) Nursing homes;

(g) Veterinarians;

(h) Dentists;

(i) Emergency medical services providers; and

(j) Pharmacists and pharmacies.

3. Any exempt person providing home medical equipment services through a third person as defined in section thirty-six hundred fifty of this article.