

## Article - Health - General

19-118.

(c) (1) All decisions of the Commission on an application for a certificate of need, except in emergency circumstances posing a threat to public health, shall be consistent with the State health plan and the standards for review established by the [Council] COMMISSION.

(2) The mere failure of the State health plan to address any particular project or health care service shall not alone be deemed to render the project inconsistent with the State health plan.

(3) Unless the Commission finds that the facility or service for which the proposed expenditure is to be made is not needed or is not consistent with the State health plan, the Commission shall approve an application for a certificate of need required under Section 19-115(k) of this subtitle to the extent that the expenditure is to be made to:

(i) Eliminate or prevent an imminent safety hazard, as defined by federal, State, or local fire, building, or life safety codes or regulations;

(ii) Comply with State licensing standards; or

(iii) Comply with accreditation standards for reimbursement under Title XVIII of the Social Security Act or under the State Medical Assistance Program approved under Title XIX of the Social Security Act.

(4) --UPON--RECEIPT--OF--NOTIFICATION--BY--THE--HEALTH SERVICES--COST--REVIEW--COMMISSION--THAT--THE--STATE--AFFORDABILITY LIMIT--ESTABLISHED--IN--§--19-207-3--OF--THIS--TITLE--MAY--BE--EXCEEDED, THE--COMMISSION--SHALL--SUSPEND--ANY--APPLICATION--BY--A--HOSPITAL--FOR WHICH--THE--HEALTH--SERVICES--COST--REVIEW--COMMISSION--SETS--RATES,--IF THE--APPLICATION--IS--FOR--A--PROJECT--THAT--WOULD--REQUIRE--ADDITIONAL HOSPITAL--REVENUES.

(5) --UPON--REQUEST--OF--A--PERSON--WHOSE--APPLICATION--HAS BEEN--SUSPENDED--UNDER--SUBSECTION--(C) (4) --OF--THIS--SECTION,--THE COMMISSION--SHALL--RESUME--REVIEW--OF--THAT--APPLICATION--WHEN--THE COMMISSION--IS--NOTIFIED--BY--THE--HEALTH--SERVICES--COST--REVIEW COMMISSION--THAT--THE--STATE--AFFORDABILITY--LIMIT--WILL--NO--LONGER--BE EXCEEDED--IF--THAT--APPLICATION--IS--APPROVED.

19-207-3-

(A) --THE--GENERAL--ASSEMBLY--FINDS--THAT--IT--IS--A--PRIORITY--OF THIS--STATE--TO--PROMOTE--THE--HEALTH--AND--WELL--BEING--OF--ITS--CITIZENS BY--MANAGING--THE--FINANCIAL--RESOURCES--SPENT--FOR--HOSPITAL--PATIENT SERVICES--IN--THIS--STATE.