

(A) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT IT IS A PRIORITY OF THE STATE OF MARYLAND TO ASSURE EQUAL ACCESS TO QUALITY HEALTH CARE FOR ALL CITIZENS AT A REASONABLE COST.

(E) THE STATE OF MARYLAND RECOGNIZES THE ACT OF CONGRESS ENTITLED THE "NATIONAL HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT OF 1974" (PUBLIC LAW 93-641).

#### 59D. DEFINITIONS.

(A) IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "AGGRIEVED PARTY" MEANS:

(1) FOR PURPOSES OF APPEALING A DECISION OF THE STATE AGENCY REGARDING A CERTIFICATE OF NEED:

(I) A PERSON WHO HAS PRESENTED HIS APPLICATION ON A HEALTH CARE PROJECT TO THE STATE AGENCY OR AND TO THE AREA WIDE HEALTH SYSTEMS AGENCY PRIOR TO THE DECISION OF THE STATE AGENCY ON A HEALTH CARE PROJECT INCLUDING A HEALTH CARE FACILITY, A NONPROFIT HEALTH SERVICE PLAN OR COMMERCIAL INSURANCE COMPANY PROVIDING HEALTH CARE BENEFITS; AND

(II) IS ADVERSELY AFFECTED BY THE DECISION OF THE STATE AGENCY ON THE PROJECT; AND

(III) IS OTHER THAN AN AGENCY OF STATE GOVERNMENT;

(2) AN AREA WIDE HEALTH SYSTEMS AGENCY IF:

(I) THE DECISION OF THE STATE AGENCY IS INCONSISTENT WITH THE RECOMMENDATION OF THE AREA WIDE HEALTH SYSTEMS AGENCY, AND

(II) THE FEDERAL ACT REQUIRES THAT THE AREA WIDE HEALTH SYSTEMS AGENCY BE PROVIDED WITH THE RIGHT OF APPEAL TO AN ADMINISTRATIVE AGENCY.

(3) FOR PURPOSES OF APPEALING A DECISION OF THE STATE AGENCY REGARDING A MATTER OTHER THAN A CERTIFICATE OF NEED, ANY PERSON ADVERSELY AFFECTED BY A DECISION OF THE STATE AGENCY IN A CONTESTED CASE.

(C) "AREA WIDE HEALTH SYSTEMS AGENCY" MEANS AN ENTITY ORGANIZED AND OPERATED PURSUANT TO THE FEDERAL ACT FOR THE PURPOSE OF PERFORMING THE FUNCTIONS OF THE PLANNING AND DEVELOPMENT OF HEALTH RESOURCES FOR A SPECIFIC GEOGRAPHIC REGION OF THE STATE, IF DESIGNATED AS SUCH BY THE SECRETARY OF HEALTH, EDUCATION AND WELFARE AFTER CONSULTATION WITH THE GOVERNOR.

(D) "CAPITAL EXPENDITURE" INCLUDES ANY EXPENDITURE OF