

(E) THE CHIEF EXECUTIVE OFFICER OF THE STATE AGENCY IS THE EXECUTIVE DIRECTOR, WHO IS APPOINTED BY THE GOVERNOR WITH THE ADVICE OF THE SECRETARY. THE EXECUTIVE DIRECTOR IS RESPONSIBLE FOR THE ADMINISTRATION OF THE STATE AGENCY AND FOR THE PERFORMANCE OF ITS FUNCTIONS. THE EXECUTIVE DIRECTOR SHALL HAVE THE SALARY AND STAFF PROVIDED IN THE STATE BUDGET.

(C) THE STATE AGENCY SHALL:

(1) PERFORM THE FUNCTIONS REQUIRED BY THE FEDERAL ACT AND THIS SUBTITLE;

(2) ADMINISTER THE CERTIFICATE OF NEED PROGRAM PURSUANT TO THE FEDERAL ACT AND THIS SUBTITLE;

(3) ACT AS THE SOLE AGENCY WITHIN THE STATE TO ADMINISTER THE STATE'S HEALTH PLANNING AND DEVELOPMENT FUNCTION UNDER THE FEDERAL ACT AND THIS SUBTITLE;

(4) ACT AS THE SOLE AGENCY WITHIN THE STATE TO REPRESENT THE STATE FOR PURPOSES OF TITLE VI OF THE PUBLIC HEALTH SERVICES ACT, AS AMENDED FROM TIME TO TIME.

(D) THE STATE AGENCY MAY:

(1) REQUEST, COLLECT, AND REPORT STATISTICAL DATA AND OTHER INFORMATION WHICH IS REQUIRED FOR THE PERFORMANCE OF ITS DUTIES PURSUANT TO THE FEDERAL ACT, IF NOT INCONSISTENT WITH STATE LAW; PROVIDED SUCH STATISTICAL DATA AND OTHER INFORMATION ARE IDENTIFIED AND DESCRIBED IN RULES AND REGULATIONS ADOPTED BY THE AGENCY UNDER THE ADMINISTRATIVE PROCEDURE ACT, EXCEPT THAT THIS PROVISION SHALL IN NO WAY LIMIT THE AUTHORITY OF THE STATE AGENCY TO REQUEST DATA FROM AN APPLICANT FOR A CERTIFICATE OF NEED;

(2) CONTRACT WITH ANY PERSON FOR SERVICES NECESSARY TO CARRY OUT ITS FUNCTIONS, CONSISTENT WITH THE LIMITATIONS OF THE FEDERAL ACT; AND

(3) FORMULATE RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

#### 59F. REPORTS.

EVERY HEALTH CARE FACILITY SHALL REPORT TO THE STATE AGENCY ANY INFORMATION REQUESTED BY THE AGENCY THAT IT IS REQUIRED TO COLLECT PURSUANT TO THE FEDERAL ACT AND THIS SUBTITLE; PROVIDED SUCH REPORTS AND THE DATE AND INFORMATION SOUGHT THEREIN ARE IDENTIFIED AND DESCRIBED IN RULES AND REGULATIONS ADOPTED BY THE AGENCY UNDER THE ADMINISTRATIVE PROCEDURE ACT, EXCEPT THAT THIS PROVISION SHALL IN NO WAY LIMIT THE AUTHORITY OF THE STATE AGENCY TO REQUEST DATA FROM AN APPLICANT FOR A CERTIFICATE OF NEED.

#### 59G. GOVERNOR.

THE GOVERNOR SHALL: