

PROJECT IS BEING DEVELOPED OR OPERATED IN VIOLATION OF THIS SUBTITLE HAS JURISDICTION TO ENJOIN THE FURTHER DEVELOPMENT OR OPERATION OF THE HEALTH CARE PROJECT.

591. APPEALS.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN AGGRIEVED PARTY MAY APPEAL A DECISION OF THE STATE AGENCY TO THE SECRETARY. THE SECRETARY SHALL NOTIFY ALL PERSONS WHO WERE PARTIES TO THE AGENCY DECISION OF THE PENDENCY OF ANY APPEAL.

(B) THE SECRETARY SHALL REVIEW THE RECORD OF PROCEEDINGS BEFORE THE STATE AGENCY AND SHALL RENDER A DECISION IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT. A DECISION OF THE SECRETARY WHICH AFFIRMS, REVERSES, OR MODIFIES THE DECISION OF THE STATE AGENCY SHALL BE CONSIDERED AS THE FINAL DECISION OF THE STATE AGENCY. HOWEVER, THE SECRETARY MAY REMAND THE MATTER TO THE STATE AGENCY FOR RECONSIDERATION.

(C) THE SECRETARY DOES NOT HAVE JURISDICTION TO REVIEW ANY DECISION OF THE STATEWIDE HEALTH COORDINATING COUNCIL.

(D) THE BOARD OF REVIEW OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE DOES NOT HAVE JURISDICTION TO REVIEW ANY DECISION MADE UNDER THIS SUBTITLE.

(E) ANY PERSON WHO WAS A PARTY TO THE APPEAL TO THE SECRETARY AND IS AGGRIEVED BY HIS FINAL DECISION MAY SEEK JUDICIAL REVIEW.

206.

(e) The following departments, agencies, commissions, boards and councils shall be included within the Department of Health and Mental Hygiene: the State Department of Health, the State Department of Mental Hygiene, the Department of Postmortem Examiners, the State Department of Juvenile Services, the State Board of Dental Examiners, the [Comprehensive Health Planning Agency,] MARYLAND HEALTH PLANNING AND DEVELOPMENT AGENCY, the Commission on Physical Fitness, the Board of Medical Examiners for the State of Maryland, the Commission on Medical Discipline of Maryland, the Anatomy Board of Maryland, the Maryland Board of Pharmacy, the State Board of Examiners of Nurses, the State Board of Funeral Directors and Embalmers of Maryland, the Board of Examiners of Optometry for the State of Maryland, the Board of Osteopathic Examiners for the State of Maryland, the Board of Podiatry Examiners for the State of Maryland, the State Board of Chiropractic Examiners, the Advisory Board on Hospital Licensing, the Advisory Council on Hospital Construction, the State Board of Physical Therapy Examiners, the State Board of Examiners of Psychologists, the Radiation Control Advisory Board, the Air Quality Control Advisory Council, the Board of Sanitarian Registration and such other departments, agencies,