

(1) COPIES OF ANY APPLICATIONS, PLEADINGS, OR OTHER PRELIMINARY DOCUMENTS FILED IN THE PROCEEDINGS BEFORE OR ON BEHALF OF THE STATE AGENCY.

(2) A FULL TRANSCRIPT OF TESTIMONY OF THE PROCEEDINGS CONDUCTED BY THE STATE AGENCY INCLUDING ALL MOTIONS, EXHIBITS, PROFFERS, OBJECTIONS, RULINGS, AND ANY OTHER MATTERS WHICH OCCURRED DURING THE COURSE OF THE HEARING.

(3) ALL POST HEARING MOTIONS, BRIEFS, AND RULINGS.

(4) A COPY OF THE FINAL DECISION OF THE STATE AGENCY INCLUDING FINDINGS OF FACT AND CONCLUSIONS OF LAW.

[(b)] (C) The Secretary shall review the record of proceedings before the State agency and shall render a decision in accordance with the Administrative Procedure Act NO LATER THAN ~~90-DAYS-AFTER-RECEIPT-OF-THE-RECORD-FROM-THE-STATE-AGENCY~~ 45-DAYS-AFTER-CONCLUDING-THE-REVIEWING-PROCESS- 120 DAYS AFTER RECEIPT OF THE RECORD FROM THE STATE AGENCY. 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. ANY RECONSIDERATION SHALL BE CONCLUDED BY THE STATE AGENCY WITHIN 30 DAYS AFTER RECEIPT OF THE RECORD AND RESUBMITTED TO THE SECRETARY. FINAL DISPOSITION OF THE RECONSIDERATION BY THE SECRETARY SHALL BE MADE NOT LATER THAN ~~15~~ 30 DAYS AFTER RESUBMISSION TO THE SECRETARY BY THE STATE AGENCY.

[(c)] (D) The Secretary does not have jurisdiction to review any decision of the Statewide Health Coordinating Council.

[(d)] (E) 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)] (F) Any person who was a party to the appeal to the Secretary and is aggrieved by his final decision may seek judicial review.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.

Approved May 6, 1980.

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CHAPTER 442