

(E) (1) -- ALL DECISIONS OF THE COUNCIL ON AN APPLICATION FOR A CERTIFICATE OF NEED, EXCEPT IN EMERGENCY CIRCUMSTANCES POSING A THREAT TO PUBLIC HEALTH AND THOSE CIRCUMSTANCES DESCRIBED IN SUBSECTION (D) OF THIS SECTION, SHALL BE BASED UPON THE STATE HEALTH PLAN AND THE STANDARDS FOR REVIEW ESTABLISHED BY THE COUNCIL.

(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.

(F) (1) -- UPON RECEIPT OF AN APPLICATION FOR A CERTIFICATE OF NEED, THE COUNCIL SHALL APPOINT A COMMITTEE OF ITS MEMBERS TO REVIEW THE APPLICATION AND TO CONDUCT AN EVIDENTIARY HEARING, IF SUCH A HEARING IS DEEMED NECESSARY BY THE COMMITTEE OR REQUESTED BY THE APPLICANT.

(2) -- THE COMMITTEE SO APPOINTED SHALL DETERMINE WITHIN 25 DAYS FROM THE DATE ON WHICH THE APPLICATION IS DOCKETED IF A HEARING IS NECESSARY.

(3) -- ANY INTERESTED PERSON THAT WISHES TO DO SO MAY SUBMIT WRITTEN COMMENTS ON THE APPLICATION PRIOR TO THE DATE OF THE HEARING FOR INCLUSION IN THE RECORD.

(4) (1) -- IF A HEARING ON AN APPLICATION IS ORDERED BY THE COMMITTEE, THE APPLICANT AND ALL INTERESTED PARTIES SHALL BE GIVEN FULL OPPORTUNITY TO APPEAR WITH COUNSEL, TO PRESENT EVIDENCE AND TESTIMONY, CONDUCT DIRECT AND CROSS EXAMINATION OF WITNESSES, INTRODUCE EXHIBITS, MAKE APPROPRIATE OBJECTIONS AND OFFER WRITTEN AND ORAL ARGUMENTS, ALL OF WHICH SHALL BE INCLUDED IN AND BECOME PART OF THE RECORD IN THE CASE.

(11) -- THE EVIDENTIARY HEARING SHALL NOT BE INITIATED SOONER THAN 65 DAYS FROM THE DOCKET DATE AND SHALL CONCLUDE NO LATER THAN 95 DAYS FROM THE DOCKET DATE UNLESS THE COMMITTEE FINDS UNUSUAL CIRCUMSTANCES TO EXTEND THE TIME FOR A REASONABLE ADDITIONAL PERIOD.

(5) (1) -- ONCE THE HEARING HAS BEEN COMPLETED AND THE RECORD CLOSED, THE COMMITTEE SHALL RENDER ITS PROPOSED FINDINGS OF FACT AND RECOMMENDATIONS TO THE COUNCIL, THE APPLICANT AND ALL INTERESTED PARTIES WHO PARTICIPATED.

(11) -- THE FINDINGS AND RECOMMENDATIONS SHALL BE RENDERED WITHIN 20 DAYS AFTER THE RECORD HAS BEEN CLOSED.

(6) -- UPON RECEIPT OF THE RECORD AND THE COMMITTEE RECOMMENDATIONS, THE COUNCIL SHALL RENDER ITS DECISION PROMPTLY, BUT IN NO EVENT SHALL THE DECISION BE DELAYED BEYOND 30 DAYS AFTER SUBMISSION OF THE COMMITTEE RECOMMENDATIONS TO THE COUNCIL.