

(H) IF THE COMMISSION DOES NOT ACT ON AN APPLICATION WITHIN THE REQUIRED PERIOD, THE APPLICANT MAY FILE WITH A COURT OF COMPETENT JURISDICTION WITHIN 60 DAYS AFTER EXPIRATION OF THE PERIOD A PETITION TO REQUIRE THE COMMISSION TO ACT ON THE APPLICATION.

(I) UNTIL DECEMBER 31, 1982, CERTIFICATE OF NEED DECISIONS AND ANY OTHER RESPONSIBILITY OR AUTHORITY OF THE COMMISSION UNDER THIS SUBSECTION SHALL BE MADE IN ACCORDANCE WITH THE REGULATIONS OF THE MARYLAND STATE HEALTH PLANNING AGENCY. ON JANUARY 1, 1983, THE COMMISSION SHALL ASSUME FULL AND COMPLETE AUTHORITY TO ACT ON ANY APPLICATION FOR A CERTIFICATE OF NEED AND ALL OTHER RESPONSIBILITY AND AUTHORITY DELEGATED TO IT UNDER THIS SUBSECTION.

19-119.

THE CIRCUIT COURT FOR THE COUNTY WHERE A HEALTH CARE PROJECT IS BEING DEVELOPED OR OPERATED IN VIOLATION OF PART I OF THIS SUBTITLE MAY ENJOIN FURTHER DEVELOPMENT OR OPERATION.

19-120.

(A) IN THIS SECTION, "AGGRIEVED PARTY" MEANS:

(1) A PERSON, INCLUDING ANY HEALTH CARE FACILITY, NONPROFIT HEALTH SERVICE PLAN, OR COMMERCIAL INSURANCE COMPANY PROVIDING HEALTH CARE BENEFITS, WHO:

(I) HAS EITHER REQUESTED A HEARING AND HAS BEEN DENIED OR HAS PRESENTED A POSITION ON A HEALTH CARE PROJECT TO THE COMMISSION BEFORE THE DECISION OF THE COMMISSION ON THAT HEALTH CARE PROJECT;

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

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

(2) THE SECRETARY.

THE GROUNDS FOR APPEAL BY THE SECRETARY SHALL BE THAT THE DECISION IS INCONSISTENT WITH THE STATE HEALTH PLAN OR ADOPTED CON STANDARDS.

(B) (1) A DECISION OF THE COMMISSION SHALL BE THE FINAL DECISION FOR PURPOSES OF JUDICIAL REVIEW.

(2) A REQUEST FOR A RECONSIDERATION WILL STAY THE FINAL DECISION OF THE COMMISSION FOR PURPOSES OF JUDICIAL REVIEW UNTIL A DECISION IS MADE ON THE RECONSIDERATION.