

(E) -- ON REQUEST BY A PERSON WHOSE APPLICATION HAS BEEN AFFECTED BY THIS SECTION, THE COMMISSION SHALL RESUME CONSIDERATION OF THAT APPLICATION AFTER THE SPECIFIED TIME PERIOD HAS ELAPSED.

(F) -- A CERTIFICATE OF NEED APPLICATION ADDRESSING EMERGENCY CIRCUMSTANCES POSING A THREAT TO PUBLIC HEALTH, AS DEFINED BY THE COMMISSION IN ITS SOLE DISCRETION AND APPROVED BY THE GOVERNOR, MAY NOT BE SUBJECT TO SUSPENSION.

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(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; AND

(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 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.

(c) Until December 31, 1982, a party aggrieved by a decision to grant or deny an application for a certificate of need may appeal that decision to the Secretary under the regulations of the Maryland State Health Planning Agency in effect on October 1, 1982. The Secretary shall decide any appeal filed through the conclusion of that case.

(D) THE COMMISSION IS A NECESSARY PARTY TO AN APPEAL AT ALL LEVELS OF THE APPEAL.

(E) -- THE COMMISSION MAY APPEAL ANY DECISIONS THAT AFFECT ANY OF ITS FINAL DECISIONS TO A HIGHER LEVEL FOR FURTHER REVIEW.