

BY repealing and reenacting, with amendments,

Article - Health - General  
Section 19-115(e)  
Annotated Code of Maryland  
(1982 Volume and 1986 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

19-101.

(b) "Certificate of need" means a certification of public need issued by the Commission under this subtitle for a health care project.

(c) "Commission" means the State Health Resources Planning Commission.

19-115.

(e) (1) A person shall have a certificate of need issued by the Commission before the person develops, operates, or participates in any of the following health care projects for which a certificate of need is required under this section.

~~(2) ANY CERTIFICATE OF NEED ISSUED WITH CONDITIONS PRIOR TO JANUARY 13, 1987 SHALL BE CONSIDERED TO BE IN GOOD STANDING IF THE CONDITIONS HAVE BEEN COMPLIED WITH TO THE SATISFACTION OF THE COMMISSION.~~

(2) A CERTIFICATE OF NEED ISSUED PRIOR TO JANUARY 13, 1987 MAY NOT BE RENDERED WHOLLY OR PARTIALLY INVALID SOLELY BECAUSE CERTAIN CONDITIONS HAVE BEEN IMPOSED, IF AN APPEAL CONCERNING THE CERTIFICATE OF NEED, CHALLENGING THE POWER OF THE COMMISSION TO IMPOSE CERTAIN CONDITIONS ON A CERTIFICATE OF NEED, HAS NOT BEEN NOTED BY AN AGGRIEVED PARTY BEFORE JANUARY 13, 1987.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, it shall take effect from the date of its passage.

Approved April 2, 1987.