

(4) Any health care provider, third party payor, local planning agency, or any other person the Commission knows has an interest in the application.

(b) Failure to give notice shall not adversely affect the application.

(c) (1) All decisions of the Commission on an application for a certificate of need, except in emergency circumstances posing a threat to public health, shall be consistent with the State health plan and the standards for review established by the Commission.

(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.

(3) Unless the Commission finds that the facility or service for which the proposed expenditure is to be made is not needed or is not consistent with the State health plan, the Commission shall approve an application for a certificate of need required under § 19-115(j) of this subtitle to the extent that the expenditure is to be made to:

(i) Eliminate or prevent an imminent safety hazard, as defined by federal, State, or local fire, building, or life safety codes or regulations;

(ii) Comply with State licensing standards; or

(iii) Comply with accreditation standards for reimbursement under Title XVIII of the Social Security Act or under the State Medical Assistance Program approved under Title XIX of the Social Security Act.

(d) The Commission alone shall have final nondelegable authority to act upon an application for a certificate of need, except as provided in this subsection.

(1) Seven voting members of the Commission shall be a quorum.

(2) AFTER AN APPLICATION IS FILED, THE STAFF OF THE COMMISSION:

(I) SHALL REVIEW THE APPLICATION FOR COMPLETENESS WITHIN 10 WORKING DAYS OF THE FILING OF THE APPLICATION; AND

(II) MAY REQUEST FURTHER INFORMATION FROM THE APPLICANT.

[(2)](3) The Commission may delegate to a [committee] REVIEWER the responsibility for review of an application for a certificate of need, including:

(I) [the] THE holding of an evidentiary hearing IF THE COMMISSION, IN ACCORDANCE WITH CRITERIA IT HAS ADOPTED BY REGULATION, CONSIDERS AN EVIDENTIARY HEARING APPROPRIATE DUE TO THE MAGNITUDE OF THE IMPACT THE PROPOSED PROJECT MAY HAVE ON THE HEALTH CARE DELIVERY SYSTEM; AND

(II) PREPARATION OF A RECOMMENDED DECISION FOR CONSIDERATION BY THE FULL COMMISSION.