

OUT ITS DUTIES UNDER PART I OF THIS SUBTITLE AND THE FEDERAL ACT; AND

(II) AS REQUIRED BY PART I OF THIS SUBTITLE AND THE FEDERAL ACT, COORDINATE ITS ACTIVITIES WITH THE STATE AGENCY.

(D) ACTION ON 5-YEAR PLAN BY COUNCIL.

(1) AS EARLY AS POSSIBLE BUT AT LEAST 20 DAYS BEFORE THE SECRETARY SUBMITS TO THE GOVERNOR THE ANNUAL REVISION OF THE DEPARTMENT'S 5-YEAR PLAN, THE SECRETARY SHALL SUBMIT THE PROGRAM AND BUDGETARY PRIORITIES PROPOSALS IN THE PLAN TO THE COUNCIL FOR REVIEW AND COMMENT.

(2) THE COUNCIL:

(I) SHALL SEND TO EACH HEALTH SYSTEMS AGENCY FOR REVIEW AND COMMENT A COPY OF THE PROPOSED BUDGETARY PRIORITIES THAT AFFECT THE HEALTH SERVICE AREA FOR WHICH THE HEALTH SYSTEMS AGENCY IS RESPONSIBLE; AND

(II) AS SOON AS POSSIBLE, SHALL SUBMIT TO THE SECRETARY ITS COMMENTS ON THE PROPOSED PROGRAM AND BUDGETARY PRIORITIES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 41, § 59H(a), (b), (c)(1) and (3), and (d)(1), (2), and, as it related to the Council, (3), and, as it related to the Council, § 59-1.

Former Article 41, § 59H(c)(2), which required the Council to approve the State health plan, is deleted as unnecessary in light of the reference to duties under the Federal Act and as misleading since the Council has other duties.

Defined terms: "Council" § 19-101
"Department" § 1-101 "Secretary" § 1-101
"Federal Act" § 19-101 "State agency" § 19-101
"Health systems agency" § 19-101

19-107. LIMITATIONS ON SECRETARY.

(A) PLANS, PROPOSALS, AND PROJECTS.

THE POWER OF THE SECRETARY OVER PLANS, PROPOSALS, AND PROJECTS OF UNITS IN THE DEPARTMENT DOES NOT INCLUDE THE POWER TO DISAPPROVE OR MODIFY ANY DECISION OR DETERMINATION THAT THE STATE AGENCY OR COUNCIL MAKES UNDER AUTHORITY SPECIFICALLY DELEGATED BY LAW TO THE STATE AGENCY OR COUNCIL.

(B) STAFF, FUNCTIONS, AND FUNDS.