

Article 43 - Health

560.

(A) The Board is hereby authorized to issue licenses regardless of type of ownership to open, maintain and operate hospitals or related institutions when the facilities of the hospital or the related institution, after inspection, are found to comply with the provisions of this subtitle and the rules and regulations adopted hereunder by the Board. No license granted shall be assignable or transferable. The Board may, for cause shown, revoke any license issued by it to a hospital or related institution after giving the licensee a hearing prior to revocation. The hearing shall be held after ten days' notice to the licensee, and he shall have an opportunity to be represented by counsel at the hearing.

(B) IF THE LICENSING AUTHORITY IN MONTGOMERY OR PRINCE GEORGE'S COUNTY DECIDES TO SUSPEND OR REVOKE THE LICENSE OF A RELATED INSTITUTION PURSUANT TO A LOCAL ORDINANCE PROVIDING FOR LICENSURE OF RELATED INSTITUTIONS, THE COUNTY LICENSING AUTHORITY SHALL NOTIFY THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OF ITS INTENTION TO SUSPEND OR REVOKE THE LICENSE AND THE REASONS THEREFOR. THE SECRETARY SHALL BE NOTIFIED PRIOR TO THE TIME NOTICE OF THE COUNTY'S INTENTION TO SUSPEND OR REVOKE THE LICENSE IS GIVEN TO THE RELATED INSTITUTION. THE COUNTY LICENSING AUTHORITY MAY PROCEED WITH THE PROPOSED SUSPENSION OR REVOCATION UNLESS THE SECRETARY SHALL DISAPPROVE SUCH ACTION WITHIN 14 DAYS OF NOTICE OF THE PROPOSED ACTION. IN THE EVENT OF DISAPPROVAL OF THE PROPOSED ACTION, THE SECRETARY SHALL STATE HIS REASONS FOR THE DISAPPROVAL IN WRITING. THERE SHALL BE NO APPEALS BY ANY PARTY FROM THE SECRETARY'S DISAPPROVAL.

(C) IF THE LICENSING AUTHORITY IN MONTGOMERY OR PRINCE GEORGE'S COUNTY SHOULD, PURSUANT TO LOCAL ORDINANCE, TAKE ACTION TO RESTRICT NEW ADMISSIONS TO A RELATED INSTITUTION, THE COUNTY LICENSING AUTHORITY SHALL, AS FAR IN ADVANCE OF THE ACTION AS PRACTICABLE, ADVISE THE SECRETARY THAT SUCH ACTION IS BEING CONTEMPLATED, IN ORDER TO FACILITATE COORDINATION OF STATE AND LOCAL REGULATORY ACTIVITIES. THE SECRETARY SHALL HAVE THE RIGHT TO PARTICIPATE AS A PARTY IN ANY ADMINISTRATIVE OR JUDICIAL PROCEEDING BY THE COUNTY TO RESTRICT NEW ADMISSIONS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.

Approved April 22, 1980.
