

rephrased in broader, standard language to conform to similar provisions governing other health occupations in present Art. 43. It states a fundamental ground for disciplining a licensee. For examples of this provision in the present law, see present Art. 43, § 130(h)(1), as to physicians, and present Art. 43, § 266A(c)(1)(iii), as to pharmacists.

In subsection (a)(5) of this section, the term "unauthorized" is substituted for the term "unlicensed", for clarity.

In subsection (a)(8) of this section, the present limited terms "agent" etc. are deleted as unnecessary in light of the broader term, "any other person".

In subsection (a)(18) of this section, the phrase "or of the laws relating to cremation" is new language added to clarify the disciplinary authority of the Board over the entire practice of mortuary science. See §§ 6-405 and 6-505 and the revisor's notes to §§ 6-508 and 6-601 of this title. This revision is called to the attention of the General Assembly.

The balance of present Art. 43, § 354(c)(15) now appears as § 6-403 of this title.

It is called to the attention of the General Assembly that there is no ground in the present law that allows the Board to discipline a licensee for immoral conduct. See § 6-302(b) of this subtitle and its revisor's note as to the deletion of a qualification relating to peculiar habits.

6-316. SAME -- HEARINGS.

(A) RIGHT TO A HEARING.

EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE BOARD TAKES ANY ACTION UNDER § 6-315 OF THIS SUBTITLE, IT SHALL GIVE THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

(B) APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.

THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

(C) RIGHT TO COUNSEL.

THE PERSON MAY BE REPRESENTED AT THE HEARING BY COUNSEL.