

In the first sentence of subsection (b) of this section, the general reference to "license" is substituted for "original license and current license" to update an obsolete reference.

In the second sentence of subsection (b) of this section, "verified" statement is substituted for the reference to statement "under oath" in light of the provisions regarding "verification" in § 1-201 of this article.

As to the number of Board members that constitute a quorum for the disciplining of a registered nurse or licensed practical nurse, see § 7-204 of this title.

For additional disciplinary powers of the Board regarding licensed nurse midwives, see § 7-605 of this title.

7-313. SAME -- HEARINGS.

(A) RIGHT TO A HEARING.

EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE BOARD TAKES ANY ACTION UNDER §§ 7-312, 7-404, OR 7-605 OF THIS TITLE, 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) SPECIFIC NOTICE REQUIREMENTS.

THE HEARING NOTICE TO BE GIVEN TO THE PERSON SHALL BE SENT BY REGISTERED MAIL TO THE LAST KNOWN ADDRESS OF THE PERSON AT LEAST 30 DAYS BEFORE THE HEARING.

(D) RIGHT TO COUNSEL.

THE PERSON MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

(E) EX PARTE HEARINGS.

IF AFTER DUE NOTICE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE BOARD MAY HEAR AND DETERMINE THE MATTER.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 299(b) and the first two sentences of (c) -- except as the first sentence of that subsection applies to judicial review.