

The introductory language of subsection (a) and the introductory phrase of subsection (b)(1) of this section conform to the Administrative Procedure Act, which provides a right of judicial review of any "final decision" of an agency in a "contested case". A situation is a contested case if a party has a right to a hearing (see the Administrative Procedure Act definition of "contested case" in Art. 41, § 244 of the Code).

As to the application of subsections (a) and (b) of this section, the Board of Review has general jurisdiction over final decisions of the Board under this title. Therefore, for some actions, a decision of the Board of Review is a prerequisite to judicial review. Subsection (a) of this section reflects that general procedure. The Board of Review, however, does not have jurisdiction over any disciplinary action taken by the Board. Consequently, subsection (b) of this section expressly provides for direct judicial review for persons aggrieved under §§ 7-312 or 7-605 of this title.

The new language substituted in subsections (a) and (b) of this section better coordinates the combined requirements of the Administrative Procedure Act and the laws regarding the Board of Review. These provisions apply in any event. No substantive change is intended.

#### 7-315. REINSTATEMENT OF SUSPENDED OR REVOKED LICENSES.

IF A LICENSE IS SUSPENDED OR REVOKED FOR A PERIOD OF MORE THAN 1 YEAR, THE BOARD MAY REINSTATE THE LICENSE AFTER 1 YEAR.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 299(e).

The introductory clause is new language added to clarify that this section applies only to cases where the initial suspension or revocation is for a period greater than 1 year.

#### SUBTITLE 4. APPROVED NURSING EDUCATION PROGRAMS FOR THIS STATE.

##### 7-401. MISCELLANEOUS POWERS AND DUTIES OF BOARD.

###### (A) POWERS.

THE BOARD MAY APPROVE ANY REGISTERED NURSING OR LICENSED PRACTICAL NURSING EDUCATION PROGRAM AT AN INSTITUTION IN THIS STATE.