

discretionary power "the Board ... is empowered to revoke a license..." it later speaks to the Board's mandatory duty "the Board ... shall cause the name of said convicted licentiate to be removed from the record..."

The General Assembly may wish to consider alternative language to subsection (b) of this section that would adhere more closely to the present law and would reflect the mandatory duty of the Board to revoke a license. The possible alternative is to change "may" to "shall".

The Commission to Revise the Annotated Code notes that before the passage of the "Consumer Representatives" Act, Ch. 702, Acts of 1980, the vote requirements in present Art. 43, § 480(g) represented a majority of the full authorized membership of the Board.

For the qualification that an applicant shall not have been convicted of participating in a criminal abortion, see § 11-302 of this subtitle.

The references in present Art. 43, § 480(a) to those individuals who were practicing osteopathy before 1914 and who then were permitted to continue that practice are deleted as obsolete. See the General Revisor's Note to this title.

The second sentence of present Art. 43, § 480(a), which relates to the removal of the name of a licensee from the city or county register, is deleted as obsolete. See the General Revisor's Note to this title.

11-311. SAME -- HEARINGS.

(A) RIGHT TO A HEARING.

EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE BOARD TAKES ANY ACTION UNDER § 11-310 OF THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL 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 INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

(D) EX PARTE HEARINGS.