

## (C) SPECIFIC NOTICE REQUIREMENTS.

THE HEARING NOTICE TO BE GIVEN TO THE INDIVIDUAL SHALL BE SENT BY REGISTERED MAIL TO THE LAST KNOWN ADDRESS OF THE INDIVIDUAL AT LEAST 20 DAYS BEFORE THE HEARING.

## (D) RIGHT TO COUNSEL.

THE INDIVIDUAL 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, § 266A(a) -- except the first clause of that subsection, which now appears in § 12-311 of this subtitle.

Subsection (e) of this section is new language added to clarify that the Board may proceed with the ex-parte hearing if the accused person has been given due notice.

In subsection (a) of this section, the introductory language, "except as otherwise provided in the Administrative Procedure Act", is new language added to clarify that the Board may summarily take action against an individual under certain circumstances. See Art. 41, § 250A(c) of the Code.

The reference in subsection (b) of this section to the Administrative Procedure Act is standard language added to this and, where necessary, corresponding sections of other titles of this article. It demonstrates clearly the intended application of the Administrative Procedure Act, Art. 41, § 244 et seq. of the Code, to administrative hearings under this section.

Subsections (c) and (d) of this section include only those provisions that appear to add to the provisions of the Administrative Procedure Act. Thus in subsection (c) of this section, the present detailed provisions about the required content of a notice also are deleted as duplicative of the Administrative Procedure Act. In subsection (d) of this section, the present references to the rights "to hear and examine the evidence", "to cross examine adverse witnesses", "to present evidence and witnesses", and "to