

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.

As to subsection (c) of this section, the statement that the individual may appear with counsel is implicit in the scheme of the Administrative Procedure Act; however, since this provision is stated explicitly in present Art. 43, § 130(j) it is retained in this section.

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

As to the issuance of subpoenas and administration of oaths for the conduct of an investigation and any hearing or proceeding before the Commission, see § 14-501(g) of this title and its revisor's note.

The present reference to the appearance of the individual "in person before the Commission" is deleted as unnecessary.

14-506. FINDINGS AND ORDER OF COMMISSION -- IN GENERAL.

(A) DISCIPLINARY OR OTHER ACTION FOUND WARRANTED.

FOLLOWING THE FILING OF CHARGES, IF A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE COMMISSION FINDS THAT THERE ARE GROUNDS FOR ACTION UNDER § 14-504 OF THIS SUBTITLE, THE COMMISSION SHALL PASS AN ORDER IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

(B) COMMISSION ACTION FOUND UNWARRANTED.

AFTER THE CHARGES ARE FILED, IF THE COMMISSION FINDS THAT THERE ARE NO GROUNDS FOR ACTION UNDER § 14-504 OF THIS SUBTITLE, THE COMMISSION:

(1) IMMEDIATELY SHALL DISMISS THE CHARGES AND EXONERATE THE LICENSEE;

(2) SHALL EXPUNGE ALL RECORDS OF THE CHARGES;
AND

(3) MAY NOT TAKE ANY FURTHER ACTION ON THE CHARGES.