

Subsection (d) of this section is derived from the third sentence of present Art. 43, § 130(p), which provides that the "Commission has a right of appeal to the Court of Special Appeals of Maryland from any order of the Baltimore City Court or the circuit court of any county which order shall reverse or modify any order of the Commission or shall remand any matter to the Commission".

As to the stay provision in subsection (c) of this section, see the General Revisor's Note to this article.

14-509. REINSTATEMENT OF SUSPENDED OR REVOKED LICENSE.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE BOARD MAY REINSTATE THE LICENSE OF AN INDIVIDUAL WHOSE LICENSE HAS BEEN SUSPENDED OR REVOKED UNDER THIS TITLE ONLY IN ACCORDANCE WITH:

(1) THE TERMS AND CONDITIONS OF THE ORDER OF SUSPENSION OR REVOCATION;

(2) AN ORDER OF REINSTATEMENT ISSUED BY THE COMMISSION; OR

(3) A FINAL JUDGMENT IN ANY PROCEEDING FOR REVIEW.

(B) SUSPENSION OR REVOCATION FOR CRIME INVOLVING MORAL TURPITUDE.

(1) IF AN ORDER OF SUSPENSION OR REVOCATION IS BASED ON § 14-504(6) OF THIS SUBTITLE, AND THE CONVICTION OR PLEA SUBSEQUENTLY IS OVERTURNED AT ANY STAGE OF AN APPEAL OR OTHER POSTCONVICTION PROCEEDING, THE SUSPENSION OR REVOCATION ENDS WHEN THE CONVICTION OR PLEA IS OVERTURNED.

(2) AFTER THE APPELLATE PROCESS IS COMPLETED:

(I) THE CLERK OF THE COURT ISSUING THE FINAL DISPOSITION OF THE CASE SHALL NOTIFY THE COMMISSION OF THAT DISPOSITION; AND

(II) IF THE CONVICTION OR PLEA IS UPHELD AFTER COMPLETION OF THE APPELLATE PROCESS, THE COMMISSION MAY NOT TAKE ANY FURTHER ACTION AGAINST THE PHYSICIAN UNLESS IT GIVES THE PHYSICIAN AN OPPORTUNITY FOR ANOTHER HEARING, TO BE HELD WITHIN 60 DAYS AFTER THE COMMISSION RECEIVES NOTICE OF THE COMPLETION OF THE APPELLATE PROCESS.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 130(m-1) and (o).