

may suspend or revoke the certification, and there is no need for a power to refuse renewal.

In subsection (a) of this section, "full authorized" membership is substituted for the term "entire" membership to correspond to the interpretation of this provision by the Board and to clarify that a majority of all potential Board members must vote. See § 17-202 of this title for the "full authorized" membership.

In subsection (a) (1) of this section, the present term "misrepresentation" is deleted as unnecessary in light of the other descriptive terms -- "fraudulently" and "deceptively" -- that are used.

Subsection (a)(2) of this section is new language added to conform to similar provisions governing other health occupations in present Art. 43. It states a fundamental ground for disciplining a health practitioner. For examples of such provisions in the present law, see present Art. 43, § 130(h)(1), as to physicians, and present Art. 43, § 266A(c)(1)(iii), as to pharmacists.

#### 17-315. HEARINGS.

##### (A) RIGHT TO A HEARING.

(1) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE BOARD TAKES ANY ACTION UNDER § 17-314 OF THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THIS ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

(2) A HEARING SHALL BE HELD WITHIN A REASONABLE TIME NOT TO EXCEED 6 MONTHS AFTER CHARGES HAVE BEEN BROUGHT.

##### (B) APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.

THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

##### (C) SPECIFIC NOTICE REQUIREMENTS.

AT LEAST 30 DAYS BEFORE THE HEARING, THE HEARING NOTICE TO BE GIVEN TO THE INDIVIDUAL SHALL BE:

(1) SERVED PERSONALLY ON THE INDIVIDUAL; OR

(2) SENT BY REGISTERED MAIL TO THE LAST KNOWN ADDRESS OF THE INDIVIDUAL.

##### (D) RIGHT TO COUNSEL.

THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.