

As to the application of this section, the Board of Review has general jurisdiction over final decisions of the Board under this subtitle. Therefore, for some actions, a decision of the Board of Review is a prerequisite to judicial review. Subsection (a) of this section reflects that general procedure. The Board of Review, however, does not have jurisdiction over any disciplinary action taken by the Board. Consequently, subsection (b) of this section expressly provides for direct judicial review for persons aggrieved under § 2-313 of this subtitle.

The new language substituted in this section better coordinates the combined requirements of the Administrative Procedure Act and the laws regarding the Board of Review. These provisions apply in any event. No substantive change is intended.

2-316. REINSTATEMENT OF SUSPENDED OR REVOKED LICENSES.

IF THE LICENSE OF AN AUDIOLOGIST IS SUSPENDED OR REVOKED UNDER § 2-313 OF THIS SUBTITLE, AND IT IS NOT REINSTATED BY THE BOARD WITHIN 5 YEARS, THE BOARD MAY NOT REINSTATE IT. HOWEVER, THE AUDIOLOGIST THEN MAY APPLY FOR A NEW LICENSE UNDER THE CURRENT LICENSING REQUIREMENTS FOR OBTAINING A NEW LICENSE UNDER THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 799(b).

SUBTITLE 4. PROHIBITED ACTS; PENALTIES.

2-401. PRACTICING WITHOUT LICENSE.

(A) IN GENERAL.

EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE AUDIOLOGY IN THIS STATE UNLESS LICENSED TO PRACTICE AUDIOLOGY BY THE BOARD.

(B) USING OR ATTEMPTING TO USE A PURCHASED OR FRAUDULENT LICENSE.

A PERSON MAY NOT USE OR ATTEMPT TO USE A LICENSE OR A LIMITED LICENSE THAT HAS BEEN PURCHASED, FRAUDULENTLY OBTAINED, COUNTERFEITED, OR MATERIALLY ALTERED.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of Art. 43, § 792(b) -- except as that sentence applies to an unlicensed person representing that the person is able to practice