

(A) GROUNDS.

THE DEPARTMENT SHALL DENY A LICENSE TO ANY APPLICANT OR SUSPEND OR REVOKE A LICENSE IF THE APPLICANT OR LICENSEE FAILS TO COMPLY WITH THE APPLICABLE LAWS, RULES, OR REGULATIONS OF THIS STATE.

(B) HEARINGS.

EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE DEPARTMENT TAKES ANY ACTION UNDER THIS SECTION, THE DEPARTMENT SHALL GIVE THE APPLICANT OR LICENSEE NOTICE AND AN OPPORTUNITY FOR A HEARING.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from former Article 59, § 35(a).

Subsection (b) of this section is standard language added to meet fundamental requirements of fairness and to conform to Department practice. The introductory language, "except as otherwise provided in the Administrative Procedure Act," clarifies that the Department may take action summarily against a person under certain circumstances. See Article 41, § 250A(c) of the Code.

In subsection (a) of this section, the phrase "deny a license to any applicant" is substituted for "refuse to grant licenses, to facilities", for clarity.

Defined terms: "Department" § 1-101
"License" § 10-501

10-511. ADMINISTRATIVE AND JUDICIAL REVIEW.

ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE DEPARTMENT IN A CONTESTED CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE ACT, MAY:

(1) APPEAL THAT DECISION TO THE BOARD OF REVIEW OF THE DEPARTMENT; AND

(2) TAKE ANY FURTHER APPEAL ALLOWED BY THE ADMINISTRATIVE PROCEDURE ACT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59, § 35(b).

In the introductory clause of this section, reference to a "contested case" is substituted for specific references to actions of the