

BEFORE THE LICENSE EXPIRES, THE LICENSEE PERIODICALLY MAY RENEW IT FOR AN ADDITIONAL 2-YEAR TERM, WITHOUT A PUBLIC HEARING, IF THE LICENSEE OTHERWISE IS ENTITLED TO BE LICENSED.

(C) EXISTING HOMES.

THE SECRETARY MAY NOT REFUSE TO RENEW THE LICENSE OF A PRIVATE GROUP HOME THAT EXISTED ON JULY 1, 1979 BECAUSE THAT HOME HAS:

(1) RESIDENTS WHO HAD A PRIMARY DIAGNOSIS OF ALCOHOLISM, DRUG ADDICTION, OR SEVERE BRAIN DAMAGE; OR

(2) MORE RESIDENTS THAN ALLOWED FOR A LARGE PRIVATE GROUP HOME OR SMALL PRIVATE GROUP HOME, IF THE HOME DOES NOT ACCEPT NEW RESIDENTS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59, § 67(a) and § 66(a)(2)(i) and the first and second sentences of (ii). It is rephrased in standard language for renewal of licenses.

The third sentence of former Article 59, § 66(a)(2)(ii), which enabled existing homes to increase residency, is deleted as unnecessary.

Defined terms:

"Large private group home" § 10-514

"License" § 10-514 "Secretary" § 1-101

"Small private group home" § 10-514

10-523. DENIALS, SUSPENSIONS, AND REVOCATIONS -- GROUNDS; HEARINGS.

(A) GROUNDS.

THE SECRETARY SHALL DENY A LICENSE TO ANY APPLICANT OR SUSPEND OR REVOKE A LICENSE IF THE APPLICANT OR LICENSEE FAILS TO MEET THE REQUIREMENTS OF THIS SUBTITLE.

(B) HEARINGS.

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

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59, § 67(b).

In subsection (a) of this section, the reference to "deny a license" is added to state expressly