

new language derived without substantive change from former Article 43, § 712.

In subsection (b)(1) of this section, the former reference to suspension "for such period as determined by the Secretary or the health officer" is deleted as implicit in the power to suspend a license.

In subsection (b)(1)(ii) of this section, reference to the "current requirements for a new license" is substituted for "cause for refusing the original or renewal issue of the license", for brevity. This substitution is based on § 14-109 of this subtitle, which imposes the current requirements for a new license on an applicant for license renewal.

In subsection (d)(1) of this section, the phrase "a court of equity in the county where the group day care center is located" is substituted for the phrase "in equity in the circuit court of the county ... or in an equity court of the Supreme Bench of Baltimore City", since specific reference to Baltimore City is unnecessary in light of the use of the defined term "county".

Defined terms: "Child" § 14-101
 "County" § 1-101 "License" § 14-101
 "Group day care center" § 14-101
 "Health officer" § 1-101 "Secretary" § 1-101

14-112. ADMINISTRATIVE AND JUDICIAL REVIEW.

ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE SECRETARY OR A HEALTH OFFICER, 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) THEN 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 43, § 715.

In the introductory clause of this section, the reference to a "contested case" is substituted for specific reference to actions of the Secretary or a health officer, to conform to the Administrative Procedure Act, which provides a right of judicial review of an agency decision in a "contested case".