

the Department to restrict the scope of a permit if a tissue bank generally meets the standards, but is deficient in a specific area. This change is made to avoid the cumbersome procedure of revocation of a permit and immediate issuance of a new permit of more limited scope.

Also in subsection (a) of this section, the reference to action for failure to "meet the requirements that the Secretary adopts under this subtitle" is substituted for the reference to "any rules or regulations regularly adopted by the Secretary", which was overly broad in light of the authority of the Secretary throughout this and other articles and unnecessary in light of the broad authority under this subtitle.

The former specific reference to compliance with the "standards or qualifications" is deleted as unnecessary since they are set by rule or regulation under §§ 17-302 and 17-303 of this subtitle.

As to inspections generally, see § 17-302 of this subtitle.

Defined terms: "Permit" § 17-301  
"Secretary" § 1-101 "Tissue bank" § 17-301

17-312. OPERATING WITHOUT PERMIT.

(A) IN GENERAL.

A PERSON MAY NOT OPERATE A TISSUE BANK IN THIS STATE UNLESS THE PERSON HOLDS A PERMIT ISSUED BY THE SECRETARY.

(B) EXCEEDING SCOPE OF PERMIT.

A PERMIT HOLDER MAY NOT OFFER OR PERFORM ANY CLASS OF SERVICE OF A TISSUE BANK THAT IS NOT AUTHORIZED BY THE PERMIT.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from the sixth sentence of former Article 43, § 34(a).

Subsection (b) of this section is new language added to state expressly that a permit holder is limited by the scope of the permit and is operating without a permit if that scope is exceeded. This addition is implicit in the provision of former Article 43, § 34(a) that required the application to state the classes of services to be offered. In practice, the Secretary issues permits that state areas in