

"for cause shown". This substitution conforms to the basis on which a license may be denied.

Subsection (b) of this section is revised to apply to denial of licenses. This revision conforms to Department practice.

Defined terms: "License" § 19-301
"Secretary" § 1-101

19-328. ADMISSION RESTRICTIONS BY SECRETARY.

(A) IN GENERAL.

(1) IF THE SECRETARY DETERMINES THAT A LIFE THREATENING, HEALTH OR FIRE SAFETY DEFICIENCY EXISTS IN A RELATED INSTITUTION, THE SECRETARY IMMEDIATELY MAY RESTRICT NEW ADMISSIONS TO THE RELATED INSTITUTION FOR NOT MORE THAN A 30-DAY PERIOD.

(2) WITHIN 7 DAYS AFTER A REQUEST BY AN AGGRIEVED PARTY, A HEARING SHALL BE HELD TO DETERMINE THE APPROPRIATENESS OF THE ADMISSIONS RESTRICTION.

(3) WITHIN 21 DAYS AFTER ADMISSIONS ARE RESTRICTED, THE RELATED INSTITUTION SHALL TAKE STEPS TO CORRECT THE DEFICIENCY.

(B) HEARING ON CORRECTIONS; ACTIONS IF CORRECTION NOT MADE.

(1) UNLESS THE SECRETARY LIFTS THE ADMISSIONS RESTRICTION, WITHIN 30 DAYS AFTER ADMISSIONS ARE RESTRICTED, A HEARING SHALL BE HELD TO DETERMINE WHETHER THE RELATED INSTITUTION HAS TAKEN ENOUGH STEPS TO CORRECT THE DEFICIENCY.

(2) IF THE SECRETARY FINDS THAT THE DEFICIENCY STILL EXISTS, THE SECRETARY MAY:

(I) CONTINUE TO RESTRICT ADMISSIONS FOR NOT MORE THAN 3 CONSECUTIVE 30-DAY PERIODS; OR

(II) REVOKE THE LICENSE OF THE RELATED INSTITUTION AND MOVE ITS RESIDENTS TO AN APPROPRIATE, LICENSED FACILITY.

(3) AN AGGRIEVED PARTY IS ENTITLED TO A HEARING ON EACH CONTINUATION OF THE ADMISSION RESTRICTION. WITHIN 7 DAYS AFTER A REQUEST BY AN AGGRIEVED PARTY, A HEARING SHALL BE HELD TO DETERMINE THE APPROPRIATENESS OF THE ADMISSIONS RESTRICTION.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 560A.