

5-312.

(a) Except as otherwise provided in § 10-226 of the State Government Article, before the Board takes any action under § 5-311 of this subtitle, it shall give the individual against whom the action is contemplated an opportunity for a hearing before the Board.

(b) The Board shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) [The] OVER THE SIGNATURE OF AN OFFICER OR THE ADMINISTRATOR OF THE BOARD, THE Board may ISSUE SUBPOENAS AND administer oaths in connection with any [proceeding under this section] INVESTIGATION UNDER THIS TITLE AND ANY HEARINGS OR PROCEEDINGS BEFORE IT.

(D) IF, WITHOUT LAWFUL EXCUSE, A PERSON DISOBEYS A SUBPOENA FROM THE BOARD, AN ORDER BY THE BOARD TO TAKE ANY OATH OR TO TESTIFY, OR ANSWER A QUESTION, THEN, ON PETITION OF THE BOARD, A COURT OF COMPETENT JURISDICTION MAY PUNISH THE PERSON FOR CONTEMPT OF COURT.

(E) IF AFTER DUE NOTICE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, THE BOARD MAY HEAR AND DETERMINE THE MATTER.

[(d)] (F) The hearing notice to be given to the individual shall be sent by certified mail to the last known address of the individual at least 14 days before the hearing.

[(e)] (G) The individual may be represented at the hearing by counsel.

[(f)] (1) The Board may issue subpoenas in connection with any proceeding under this section.

(2) If a person fails to comply with a subpoena issued under this subsection, on petition of the Board, the circuit court may compel obedience to the subpoena.]

5-313.

(a) Except as otherwise provided in this section for an action under § 5-311 of this subtitle, any person aggrieved by a final decision of the Board in a contested case, as defined in the Administrative Procedure Act, may:

(1) Appeal that decision to the Board of Review; and

(2) Then take any further appeal allowed by the Administrative Procedure Act.

(b) (1) Any person aggrieved by a final decision of the Board under § 5-311 of this subtitle may not appeal to the Secretary or the Board of Review but may take a direct judicial appeal.