

## 9-315.

(a) Except as otherwise provided in the Administrative Procedure Act, before the Board takes any action under § 9-314 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 the Administrative Procedure Act.

(c) Over the signature of an officer or the executive [secretary] DIRECTOR of the Board, the Board may issue subpoenas and administer oaths in connection with any investigation under this title and any hearings or proceedings before it.

(d) If, without lawful excuse, a person disobeys a subpoena from the Board or an order by the Board to take an oath or to testify or answer a question, then, on petition of the Board, a court of competent jurisdiction may punish the person as for contempt of court.

(e) If after due notice the individual against whom the action is contemplated fails or refuses to appear, nevertheless the Board may hear and determine the matter.

## 9-316.

(a) Except as provided in this section for an action under § 9-314 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 § 9-314 of this subtitle may not appeal to the Secretary or Board of Review but may take a direct judicial appeal.

(2) The appeal shall be made as provided for judicial review of final decisions in the Administrative Procedure Act.

(C) AN ORDER OF THE BOARD MAY NOT BE STAYED PENDING JUDICIAL REVIEW.

## 9-316.1.

(A) THE BOARD MAY ISSUE A CEASE AND DESIST ORDER FOR PRACTICING NURSING HOME ADMINISTRATION WITHOUT A LICENSE OR WITH AN UNAUTHORIZED PERSON OR FOR SUPERVISING OR AIDING AN UNAUTHORIZED PERSON IN THE PRACTICE OF NURSING HOME ADMINISTRATION.

(B) (1) AN ACTION FOR AIDING AND ABETTING MAY BE MAINTAINED IN THE NAME OF THE STATE OR THE BOARD TO ENJOIN: