

(3) (i) If a hearing is requested by the licensee or letter holder, the [Secretary] STATE SUPERINTENDENT shall hold a hearing within 7 calendar days of the request for a hearing. The hearing shall be held in accordance with the Administrative Procedure Act.

(ii) Within 7 calendar days of the hearing a decision concerning the emergency suspension shall be made by the [Secretary] STATE SUPERINTENDENT.

(4) If the emergency suspension order is upheld by the [Secretary] STATE SUPERINTENDENT, the licensee or letter holder shall cease operations until it is determined that the health, safety, or welfare of a child in the child care center is no longer threatened.

(5) Any person aggrieved by a decision of the [Secretary] STATE SUPERINTENDENT to uphold an emergency suspension may appeal that decision directly to the circuit court in the county in which the child care center is located.

(e) The [Secretary or the Secretary's designee] STATE SUPERINTENDENT may petition the circuit court in the county in which the child care center is located to enjoin the activities and operations of a person who operates a child care center without a license or letter of compliance as required by this Part VII, including when a license or letter of compliance has been denied, revoked, or suspended in accordance with this Part VII.

5-580.1.

(a) The [Secretary] STATE SUPERINTENDENT or other authorized official or employee of the Department [of Human Resources] may apply to a judge of the District Court or a circuit court for an administrative search warrant to enter any unlicensed child care center to conduct any inspection required or authorized by law to determine compliance with the provisions of this subtitle relating to child care centers.

(b) (1) The application for an administrative search warrant shall be in writing and signed and sworn by the [Secretary] STATE SUPERINTENDENT and shall particularly describe the place, structure, premises, or records to be inspected and the nature, scope, and purpose of the inspection to be conducted.

(2) Before the filing of an administrative search warrant application with a court, the application shall be approved by the Attorney General of Maryland as to its legality in both form and substance under the standards and criteria of this section and a statement to this effect shall be included as part of the application.

(c) A judge of a District Court or circuit court in the jurisdiction in which the unlicensed child care center is located may issue an administrative search warrant on finding that:

(1) the Department has reasonably sought and been denied access to an unlicensed child care center for the purpose of making an inspection;

(2) the requirements of subsection (b) of this section are met;