

(3) SUBMITS TO THE SECRETARY:

(I) A RENEWAL APPLICATION ON THE FORM THAT THE SECRETARY REQUIRES; AND

(II) SATISFACTORY EVIDENCE OF COMPLIANCE WITH ANY REQUIREMENT UNDER THIS SUBTITLE FOR LICENSE RENEWAL.

(C) THE SECRETARY SHALL RENEW THE LICENSE OF EACH LICENSEE WHO MEETS THE REQUIREMENTS OF THIS SECTION.

(D) THE SECRETARY SHALL SET THE APPLICATION AND RENEWAL FEES IN AN AMOUNT THAT IS SUFFICIENT TO COVER THE COST OF INSPECTION.

19-1008.

(A) (1) THE SECRETARY MAY DENY A LICENSE TO ANY APPLICANT OR REVOKE A LICENSE IF THE APPLICANT OR LICENSEE HAS BEEN CONVICTED OF:

(I) A FELONY THAT RELATES TO MEDICAID; OR

(II) A CRIME INVOLVING MORAL TURPITUDE.

(2) THE SECRETARY MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY LICENSEE, OR SUSPEND OR REVOKE ANY LICENSE IF THE APPLICANT OR LICENSEE DOES NOT MEET THE REQUIREMENTS OF THIS SUBTITLE OR ANY RULE OR REGULATION THAT THE SECRETARY ADOPTS UNDER THIS SUBTITLE.

(B) (1) BEFORE ANY ACTION IS TAKEN UNDER THIS SECTION, THE SECRETARY SHALL GIVE THE APPLICANT OR LICENSEE AN OPPORTUNITY FOR A HEARING.

(2) THE SECRETARY SHALL SEND A HEARING NOTICE TO AN APPLICANT OR LICENSEE BY CERTIFIED MAIL AT LEAST 30 DAYS BEFORE THE HEARING.

(3) THE APPLICANT OR LICENSEE MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

19-1009.

A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A PENALTY NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH. EACH DAY A VIOLATION IS CONTINUED AFTER THE FIRST CONVICTION IS A SEPARATE OFFENSE.

SECTION 2. AND BE IT FURTHER ENACTED, That a freestanding birthing center that is operating continuously for at least 1