

[(2) The Secretary may delegate to a health officer the power to revoke or suspend licenses.]

(c) (1) [Before] EXCEPT AS OTHERWISE PROVIDED IN THE ~~ADMINISTRATIVE--PROCEDURE--ACT~~ SUBSECTION (D) OF THIS SECTION, BEFORE any action is taken under this section, the Secretary [or health officer] shall give the individual against whom the action is contemplated an opportunity for a public hearing before the Secretary [or the health officer, as the case may be].

(2) The hearing notice to be given to the individual shall be sent at least 10 days before the hearing.

(3) The individual may be represented at the hearing by counsel.

[(d) (1) If, before the hearing on a revocation or a suspension, the health officer considers that the continued operation of the group day care center threatens seriously the health, welfare, or security of a child in the group day care center or the health or welfare of the community, the Secretary or the health officer may petition a court of equity in the county where the group day care center is located to enjoin operation of the group day care center pending the hearing.

(2) If the court finds that the continued operation of the group day care center may injure seriously the health, welfare, or security of a child in the group day care center or the health or welfare of the community, the court may enjoin operation of the group day care center until the hearing is held and a decision is reached on the proposed revocation or suspension of the license.]

(D) (1) (I) THE SECRETARY MAY SUSPEND THE LICENSE TO OPERATE A CHILD CARE CENTER ON AN EMERGENCY BASIS WHEN THE SECRETARY DETERMINES THAT THIS ACTION IS REQUIRED TO PROTECT THE HEALTH, SAFETY, OR WELFARE OF A CHILD IN THE CHILD CARE CENTER.

(II) WHEN THE SECRETARY SUSPENDS A LICENSE ON AN EMERGENCY BASIS, THE SECRETARY SHALL DELIVER WRITTEN NOTICE OF THE SUSPENSION TO THE LICENSEE STATING THE REGULATORY BASIS FOR THE SUSPENSION.

(2) (I) UPON DELIVERY OF THE EMERGENCY SUSPENSION NOTICE, THE LICENSEE SHALL CEASE OPERATION OF THE CHILD CARE CENTER WITHIN 72 HOURS.

(II) THE EMERGENCY SUSPENSION SHALL BE STAYED IF THE LICENSEE REQUESTS IN WRITING, AND WITHIN 72 HOURS OF DELIVERY OF THE NOTICE, A HEARING BEFORE THE SECRETARY.

(3) (I) IF A HEARING IS REQUESTED BY THE LICENSEE, THE SECRETARY SHALL HOLD A HEARING WITHIN 7 CALENDAR DAYS OF THE