

THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) OATHS.

THE BOARD MAY ADMINISTER OATHS IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.

(D) FAILURE OR REFUSAL TO APPEAR.

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.

COMMITTEE COMMENT: Subsection (a) of this section is new language derived from the reference to a hearing in the introductory language of former Art. 56, § 453(e).

Subsection (b) of this section is standard language added to demonstrate clearly the intended application of Title 10, Subtitle 2 of the State Government Article to administrative hearings under this section.

Subsection (c) of this section is new language added to state expressly a power of the Board that is inherent under its authority to conduct a formal administrative hearing under this section.

Subsection (d) of this section is new language added to clarify that the Board may proceed with the hearing if the accused individual has been given due notice.

The introductory exception of subsection (a) of this section is added to clarify that the Board may summarily take action against an individual under certain circumstances. See SG § 10-405(b).

In subsection (a) of this section, the former reference to "allowing all interested parties to testify" is deleted as overly broad and unnecessary in light of subsection (b) of this section.

Defined term: "Board" § 3-101

3-314. JUDICIAL REVIEW.

ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD IN A CONTESTED CASE, AS DEFINED IN § 10-201 OF THE STATE GOVERNMENT ARTICLE, MAY TAKE AN APPEAL AS ALLOWED IN §§ 10-215 AND 10-216 OF THE STATE GOVERNMENT ARTICLE.