

## (B) APPLICATION OF CONTESTED CASE PROVISIONS.

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) SPECIFIC NOTICE REQUIREMENTS.

THE HEARING NOTICE TO BE GIVEN TO THE INDIVIDUAL SHALL BE SENT BY CERTIFIED MAIL TO THE LAST KNOWN ADDRESS OF THE INDIVIDUAL AT LEAST 10 DAYS BEFORE THE HEARING.

## (E) 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.

REVISOR'S NOTE: Subsections (a) and (d) of this section are new language derived without substantive change from former Art. 56, § 440(b).

Subsection (b) of this section is standard language added to demonstrate clearly the intended application of the referenced subtitle to administrative hearings under this section.

Subsection (c) of this section is standard 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 (e) of this section is standard language added to clarify that, after the accused individual has been given proper notice, the Board may proceed with a hearing even if the person fails to appear.

The introductory clause of subsection (a) of this section, "[e]xcept as otherwise provided in Title 10, Subtitle 4 of the State Government Article", is added to clarify that the Board may act summarily under certain circumstances. See SG § 10-405(b).

In subsection (a) of this section, the reference to "any final action under § 4-316" is substituted for the former limited reference to suspension or revocation, to clarify that an applicant who is denied a license also is entitled to a hearing. Similarly,