

to "fraud in passing the examination" is deleted as unnecessary.

Subsection (b) of this section is new language derived without substantive change from former Art. 56, § 495(c).

In the introductory language of subsection (a) of this section, the reference to the power of the Board to reprimand a licensee is added to state specifically a power that is inherent in the express power to suspend or revoke a license.

The introductory phrase of subsection (b) of this section, "[i]nstead of or in addition to suspending or revoking a license", is added for clarity and conformity to the practice of the Board.

The reference, in the first sentence of former Art. 56, § 495(a), to a "failure to display the certificate provided in this subtitle" is deleted in light of the more general reference, in subsection (a)(7) of this section, to violating any provision of this title. See § 5-319 of this subtitle.

Defined terms: "Board" § 5-101

"License" § 5-101 "Practice cosmetology" § 5-101

5-321. SAME -- HEARINGS.

(A) RIGHT TO HEARING.

EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 4 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY FINAL ACTION UNDER § 5-320 OF THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

(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) SPECIFIC NOTICE PROVISIONS.

THE HEARING NOTICE TO BE GIVEN TO THE INDIVIDUAL SHALL BE SERVED AT LEAST 5 DAYS BEFORE THE HEARING.

(D) RIGHT TO COUNSEL.

THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.