

the licensee after a final Board decision to reprimand. This change is made to conform to other occupational board provisions found throughout the Code and to meet fundamental requirements of fairness.

Also in subsection (a) of this section, the former reference to holding a hearing before the "secretary" of the Board is deleted as obsolete. See the revisor's note to § 5-204 of this title.

Subsections (c) and (e) of this section include only those provisions that appear to add to the provisions of Title 10, Subtitle 2 of the State Government Article. Thus, the former references to the rights to a "full opportunity to produce testimony in his or her behalf" and "to confront the witnesses against him or her" are deleted as essentially repetitious of rights already provided in Title 10, Subtitle 2 of the State Government Article.

As to subsection (d) of this section, the statement that the individual may appear with counsel is implicit in the scheme of procedural provisions under Title 10, Subtitle 2 of the State Government Article; however, since this provision was stated explicitly in former Art. 56, § 495(b), it is retained in this section.

As to judicial review, see § 5-209 of this title.

Defined terms: "Board" § 5-101  
"County" § 1-101 "Person" § 1-101

#### 5-322. REINSTATEMENT OF SUSPENDED OR REVOKED LICENSE.

THE BOARD MAY REINSTATE THE LICENSE OF AN INDIVIDUAL WHOSE LICENSE HAS BEEN SUSPENDED OR REVOKED UNDER § 5-320 OF THIS SUBTITLE IF THE INDIVIDUAL:

(1) APPLIES TO THE BOARD FOR REINSTATEMENT OF THE LICENSE; AND

(2) PROVIDES TO THE BOARD ADEQUATE EVIDENCE THAT THE APPLICANT IS QUALIFIED TO HAVE THE LICENSE REINSTATED.

REVISOR'S NOTE: This section is new language derived without substantive change from the third sentence of former Art. 56, § 495(a).

Item (2) of this section is revised to state clearly that which only was implied by the former reference to "satisfactory proof that the disqualification has ceased" -- i.e., the Board may reinstate a license if the applicant is qualified.