

(C) CHAIRMAN.

FROM AMONG THE MEMBERS OF THE HEARING BOARD, THE COMMISSION SHALL DESIGNATE A CHAIRMAN.

REVISOR'S NOTE: This section formerly appeared as Art. 56A, § 4-326.

The only changes are in style.

Defined terms: "Commission" § 16-101
"Consumer member" § 1-101 "Department" § 1-101
"Hearing board" § 16-101 "Secretary" § 1-101

16-326. REFERRAL OF CASES; PROCEDURE BEFORE HEARING BOARD.

(A) REFERRAL BY COMMISSION.

THE COMMISSION MAY REFER TO A HEARING BOARD FOR A HEARING:

(1) ANY COMPLAINT THAT HAS BEEN SUBMITTED TO THE COMMISSION; AND

(2) ANY MATTER FOR WHICH A HEARING MAY BE REQUIRED UNDER § 16-327 OR § 16-328 OF THIS SUBTITLE.

(B) PROCEDURES.

THE HEARING BOARD MAY EXERCISE THE SAME POWERS AND SHALL CONDUCT A HEARING IN ACCORDANCE WITH THE SAME PROCEDURES APPLICABLE TO THE COMMISSION UNDER § 16-324 OF THIS SUBTITLE.

(C) FINDINGS AND DISPOSITION; REPORT TO COMMISSION.

(1) THE HEARING BOARD SHALL DETERMINE IF THERE IS A REASONABLE BASIS TO BELIEVE THAT THERE ARE GROUNDS FOR DISCIPLINARY ACTION UNDER § 16-322 OF THIS SUBTITLE AGAINST AN APPLICANT OR LICENSEE.

(2) (I) IF THE HEARING BOARD FINDS A REASONABLE BASIS AS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE HEARING BOARD SHALL:

- 1. HOLD A HEARING ON THE MATTER; AND
- 2. FILE ITS FINDING WITH THE COMMISSION.

(II) IF THE HEARING BOARD DOES NOT FIND A REASONABLE BASIS AS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE HEARING BOARD SHALL DISMISS THE COMPLAINT.

(3) A HEARING BOARD SHALL ADVISE THE COMMISSION SPECIFICALLY OF ANY ACTION BROUGHT AGAINST A LICENSEE AS A RESULT OF MONETARY LOSS, MISAPPROPRIATION OF MONEY, OR FRAUD.