

(I) SHALL PROVIDE THE OFFICE A POWER OF ATTORNEY SWORN TO BY THE EMPLOYER THAT CERTIFIES THAT THE DESIGNATED EMPLOYEE IS AN AUTHORIZED AGENT OF THE BUSINESS ENTITY AND MAY BIND THE BUSINESS ENTITY ON MATTERS PENDING BEFORE THE OFFICE; AND

(II) MAY NOT BE A DISBARRED OR SUSPENDED LAWYER IN ANY STATE.

(2) A BUSINESS ENTITY MAY NOT CONTRACT, HIRE, OR EMPLOY ANOTHER BUSINESS ENTITY, OTHER THAN AN ATTORNEY, TO PROVIDE APPEARANCE SERVICES UNDER SUBSECTION (A)(3) OR (4) OF THIS SECTION.

(3) AN EMPLOYEE DESIGNATED BY A BUSINESS ENTITY UNDER SUBSECTION (A)(4) OF THIS SECTION MAY NOT BE ASSIGNED ON A FULL-TIME BASIS TO APPEAR IN ADMINISTRATIVE HEARINGS BEFORE THE OFFICE ON BEHALF OF THE BUSINESS ENTITY.

(C) THIS SECTION MAY NOT BE INTERPRETED TO LIMIT THE RIGHT OF AN INDIVIDUAL TO APPEAR ON THE INDIVIDUAL'S OWN BEHALF.

DRAFTER'S NOTE: This section is intended to codify existing practice of the Office of Administrative Hearings.

9-1607.2.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, REGULATIONS ADOPTED IN ACCORDANCE WITH § 10-206(A)(1) OF THIS ARTICLE SHALL APPLY TO A PROCEEDING BEFORE THE OFFICE, REGARDLESS OF WHETHER THE PROCEEDING IS SUBJECT TO TITLE 10, SUBTITLE 2 OF THIS ARTICLE (ADMINISTRATIVE PROCEDURE ACT - CONTESTED CASES).

(B) UNLESS A FEDERAL OR STATE LAW OR REGULATION REQUIRES THAT A FEDERAL OR STATE PROCEDURE SHALL BE OBSERVED, THE REGULATIONS SPECIFIED IN SUBSECTION (A) OF THIS SECTION SHALL TAKE PRECEDENCE IN THE EVENT OF A CONFLICT.

Subtitle 2. Administrative Procedure Act - Contested Cases

10-201. DECLARATION OF POLICY.

THE PURPOSE OF THIS SUBTITLE IS TO:

(1) ENSURE THE RIGHT OF ALL PERSONS TO BE TREATED IN A FAIR AND UNBIASED MANNER IN THEIR EFFORTS TO RESOLVE DISPUTES IN ADMINISTRATIVE PROCEEDINGS GOVERNED BY THIS SUBTITLE; AND

(2) PROMOTE PROMPT, EFFECTIVE, AND EFFICIENT GOVERNMENT.

[10-201.]10-202. DEFINITIONS.

(a) In this subtitle the following words have the meanings indicated.

(b) "Agency" means: