

5-706.1.

(A) WITHIN 30 DAYS AFTER THE COMPLETION OF AN INVESTIGATION IN WHICH THERE HAS BEEN A FINDING OF INDICATED OR UNSUBSTANTIATED ABUSE OR NEGLECT, THE LOCAL DEPARTMENT SHALL NOTIFY IN WRITING THE PERSON ALLEGED TO HAVE ABUSED OR NEGLECTED A CHILD:

(1) OF THE FINDING; AND

(2) EXCEPT WHEN A CINA PETITION HAS BEEN FILED INVOLVING THE CHILD ALLEGED TO BE ABUSED OR NEGLECTED, THAT THE PERSON MAY REQUEST AN ADMINISTRATIVE HEARING TO APPEAL THE FINDING.

(B) WITHIN 30 DAYS OF A DISMISSAL OF A CINA PETITION, THE LOCAL DEPARTMENT OF SOCIAL SERVICES SHALL NOTIFY IN WRITING THE PERSON ALLEGED TO HAVE ABUSED OR NEGLECTED A CHILD THAT THE PERSON MAY REQUEST AN ADMINISTRATIVE HEARING TO APPEAL AN INDICATED OR UNSUBSTANTIATED FINDING.

(C) A PERSON MAY REQUEST AN ADMINISTRATIVE HEARING BY RESPONDING TO THE NOTICE OF THE LOCAL DEPARTMENT OF SOCIAL SERVICES IN WRITING WITHIN 60 DAYS.

(D) THE LOCAL DEPARTMENT SHALL FORWARD ALL REQUESTS FOR HEARINGS TO THE OFFICE OF ADMINISTRATIVE HEARINGS WITHIN 10 DAYS OF RECEIPT.

(E) ON RECEIPT OF A REQUEST FOR AN ADMINISTRATIVE HEARING TO APPEAL AND PRIOR TO THE HEARING, THE DEPARTMENT SHALL:

(1) REVIEW ALL RECORDS AND REPORTS CONCERNING THE ALLEGED ABUSE OR NEGLECT; AND

(2) DETERMINE WHETHER THE FINDING SHALL BE AMENDED, MODIFIED, OR EXPUNGED.

(F) UNLESS THE PERSON AND THE DEPARTMENT AGREE ON ANOTHER LOCATION, THE HEARING SHALL BE HELD IN THE MANNER PROVIDED UNDER § 5-706.2 OF THIS SUBTITLE IN THE JURISDICTION IN WHICH THE PERSON ALLEGED TO HAVE ABUSED OR NEGLECTED A CHILD RESIDES.

(G) IF A CRIMINAL PROCEEDING IS PENDING ON CHARGES ARISING OUT OF THE ALLEGED ABUSE OR NEGLECT, THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL STAY THE HEARING UNTIL A FINAL DISPOSITION IS MADE.

(H) IF AFTER FINAL DISPOSITION OF THE CRIMINAL CHARGE, THE PERSON REQUESTING THE HEARING IS FOUND GUILTY OF ANY CRIMINAL CHARGE ARISING OUT OF THE ALLEGED ABUSE OR NEGLECT, THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL DISMISS THE ADMINISTRATIVE APPEAL.