

~~(2) THE HEARING SHALL BE HELD IN THE COUNTY IN WHICH THE PERSON SUSPECTED OF ABUSE, NEGLECT, SELF-NEGLECT, OR EXPLOITATION RESIDES.~~

~~(3) THE NAME OF A PERSON ADJUDICATED AN ABUSER MAY BE MAINTAINED IN A RECORD OR REPORT WITHOUT AN OPPORTUNITY FOR A HEARING UNDER THIS SUBSECTION.~~

~~(D) THE DEPARTMENT OR A LOCAL DEPARTMENT MAY NOT MAINTAIN THE NAME OF A PERSON IN A RECORD OR REPORT UNLESS THE PERSON HAS:~~

~~(1) BEEN ADJUDICATED AN ABUSER;~~

~~(2) UNSUCCESSFULLY APPEALED THE ENTRY OF THE PERSON'S NAME IN THE RECORD OR REPORT UNDER PROCEDURES ESTABLISHED BY THE DEPARTMENT; OR~~

~~(3) FAILED TO RESPOND WITHIN THE EARLIER OF:~~

~~(I) 90 DAYS OF NOTICE BY THE DEPARTMENT OR A LOCAL DEPARTMENT OF THE DEPARTMENT'S OR A LOCAL DEPARTMENT'S INTENT TO MAINTAIN THE PERSON'S NAME IN A RECORD OR REPORT; OR~~

~~(II) 30 DAYS OF A DECISION OR THE TIME REQUIRED FOR A DECISION UNDER SUBSECTION (C) OF THIS SECTION.~~

~~(E) THE DEPARTMENT OR A LOCAL DEPARTMENT SHALL REMOVE THE NAME OF A PERSON SUSPECTED OF ABUSE, NEGLECT, SELF-NEGLECT, OR EXPLOITATION FROM A RECORD OR REPORT IF NO ENTRY HAS BEEN MADE FOR THAT PERSON FOR 5 YEARS.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Family Law

5-706.2.

(D) (2) THE ADMINISTRATIVE LAW JUDGE SHALL ISSUE A PROPOSED DECISION AND A PROPOSED ORDER.

(3) THE PROPOSED ORDER MAY DIRECT THE DEPARTMENT TO AMEND, MODIFY, OR EXPUNGE THE FINDING, AS APPROPRIATE.

(4) THE PROPOSED ORDER SHALL BECOME FINAL UNLESS THE SECRETARY OF THE DEPARTMENT DECIDES TO REVIEW THE PROPOSED DECISION OR EXCEPTIONS ARE FILED IN ACCORDANCE WITH DEPARTMENT REGULATIONS.

SECTION 2-3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 1993.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect if the U. S. Department of Health and Human Services determines that § 5-706.2(d)(2) of the Family Law Article as enacted by Section 1 of this Act violates the single