

(2) WHEN A DECISION IS NOT ISSUED WITHIN 60 DAYS AFTER THE COMPLAINT IS FILED AND THE COMPLAINANT REQUESTS A HEARING.

(B) (1) THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL CONDUCT A HEARING ON EACH APPEAL IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE. THE OFFICE IS BOUND BY ANY REGULATION, DECLARATORY RULING, PRIOR ADJUDICATION, OR OTHER SETTLED, PREEXISTING POLICY, TO THE SAME EXTENT AS THE DEPARTMENT IS OR WOULD HAVE BEEN BOUND IF IT WERE HEARING THE CASE.

(2) A RECORD THAT IS PROTECTED FROM DISCLOSURE UNDER TITLE 10, SUBTITLE 6 OF THE STATE GOVERNMENT ARTICLE MAY BE USED AS EVIDENCE IN A HEARING ONLY IF:

(I) THE MATERIAL IS ESSENTIAL TO THE CONDUCT OF THE HEARING; AND

(II) NAMES AND OTHER IDENTIFYING INFORMATION ARE DELETED TO THE EXTENT NECESSARY TO MAINTAIN CONFIDENTIALITY.

(3) THE CONFIDENTIALITY OF RECORDS AND INFORMATION PROTECTED FROM DISCLOSURE UNDER TITLE 10, SUBTITLE 6 OF THE STATE GOVERNMENT ARTICLE SHALL BE MAINTAINED IN EACH HEARING.

(C) (1) WITHIN 45 DAYS AFTER THE CLOSE OF THE HEARING RECORD, THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL ISSUE TO THE PARTIES A WRITTEN DECISION AND MAY GRANT ANY APPROPRIATE RELIEF UNDER SUBSECTION (D) OF THIS SECTION.

(2) THE DECISION OF THE OFFICE OF ADMINISTRATIVE HEARINGS IS FINAL.

(D) A COMPLAINANT WHO PREVAILS AT A HEARING MAY BE AWARDED ANY APPROPRIATE RELIEF, INCLUDING:

(1) ANY REMEDIAL ACTION ALLOWED UNDER § 5-309(E) OF THIS SUBTITLE; AND

(2) COSTS OF LITIGATION AND REASONABLE ATTORNEY'S FEES.

(E) A COMPLAINANT OR APPOINTING AUTHORITY MAY APPEAL THE DECISION ISSUED UNDER SUBSECTION (C) OF THIS SECTION IN ACCORDANCE WITH § 10-222 OF THE STATE GOVERNMENT ARTICLE.

5-311.

AFTER REVIEWING A FINAL DECISION UNDER THIS SUBTITLE, THE COURT MAY AWARD COSTS OF LITIGATION AND REASONABLE ATTORNEY'S FEES TO A PREVAILING COMPLAINANT AND ANY OTHER APPROPRIATE RELIEF.