

2. the principal department or other independent unit for a unique class shall be subject to revocation of the authority to recruit, examine, and certify candidates for appointment.

(4) The Department may audit the principal department's or other independent unit's recruitment, examination, and certification procedures for compliance with the provisions of this article.

(d) (1) Without holding an examination, the Secretary or the head of a principal department or other independent unit for a unique class may prepare a special list of eligible candidates whom the Division of Vocational Rehabilitation of the Department of Education certifies as being physically capable and adequately trained to qualify for a specified position in the classified service.

(2) An appointing authority may use the special list of eligible candidates to fill the specified position.

(3) The Secretary or the head of a principal department or other independent unit for a unique class may set a maximum number of candidates that may be appointed from the special list of eligible candidates.

(e) Each list of eligible candidates that is certified by the Secretary or the head of a principal department or other independent unit for a unique class shall contain the addresses of the candidates named in the list.]

[4-303.

(a) Subject to the requirements of subsection (b) of this section, the Secretary may disqualify and refuse to certify an applicant who has been examined under Subtitle 2 of this title if the applicant:

- (1) did not meet the requirements for taking the examination;
- (2) does not meet the requirements for appointment to the position;
- (3) has a mental or physical disability that precludes performance of the duties of the position;
- (4) intentionally falsified information in the application; or
- (5) has been deceptive or fraudulent in any phase of the examination or appointment process.

(b) The Secretary may not disqualify an applicant under this section unless the Secretary or the designee of the Secretary:

- (1) gives the applicant written notice of the reason for the proposed disqualification;
- (2) allows the applicant an opportunity to submit a written response; and
- (3) allows the applicant an opportunity to meet with the Secretary or the Secretary's designee.]