

CONCERNING PERSONS REQUIRED TO FILE STATEMENTS UNDER § 5-405 OF THIS TITLE AND IN CONNECTION WITH THE OPERATION OF A CEMETERY OR THE SALE OF PRENEED GOODS.

(3) THE DIRECTOR MAY NOT TAKE ANY ACTIONS DESCRIBED IN SUBSECTION (D)(1) AND (2) OF THIS SECTION FOR COMPLAINTS INVOLVING PERSONS EXEMPT UNDER § 5-102.

(D) IF THE DIRECTOR IS UNABLE TO ~~MEDIATE~~ NEGOTIATE A SETTLEMENT OF THE COMPLAINT, THE DIRECTOR MAY:

(1) AT THE REQUEST OF EITHER PARTY, REFER THE COMPLAINT TO THE OFFICE OF THE ATTORNEY GENERAL OR THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BINDING ARBITRATION, IF BOTH PARTIES AGREE TO BINDING ARBITRATION;

(2) INITIATE AN INVESTIGATION; OR

(3) DISMISS THE COMPLAINT.

(E) IF, AFTER INVESTIGATION, THE DIRECTOR DETERMINES THAT THERE IS A REASONABLE BASIS TO BELIEVE THAT THERE ARE GROUNDS FOR DISCIPLINARY ACTION UNDER § 5-310 OF THIS TITLE, THE CASE SHALL BE SET DIRECTOR SHALL PROVIDE THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED NOTICE AND AN OPPORTUNITY FOR A HEARING UNDER § 5-312 OF THIS SUBTITLE.

(F) (1) ~~IF A COMPLAINT IS NOT SET FOR A HEARING AFTER BEING INVESTIGATED BY THE DIRECTOR, THE COMPLAINT SHALL BE DISMISSED IF, AFTER INVESTIGATION, THE DIRECTOR DETERMINES THAT THERE IS NOT A REASONABLE BASIS TO BELIEVE THAT THERE ARE GROUNDS FOR DISCIPLINARY ACTION, THE DIRECTOR SHALL DISMISS THE COMPLAINT.~~

(2) ANY PARTY AGGRIEVED BY THE DISMISSAL MAY TAKE A JUDICIAL APPEAL IN ACCORDANCE WITH THE PROVISIONS OF TITLE 10 OF THE STATE GOVERNMENT ARTICLE.

(G) (4) ONCE A COMPLAINT HAS BEEN REFERRED FOR BINDING ARBITRATION, THE REGISTRANT OR PERMIT HOLDER SHALL COMPLY WITH THE TERMS OF THE SETTLEMENT.

(2) ~~IF A REGISTRANT OR PERMIT HOLDER HAS FAILED TO COMPLY WITH THE TERMS OF THE ARBITRATION SETTLEMENT, THE DIRECTOR SHALL, AFTER THE APPEAL PERIOD HAS PASSED, CONDUCT A HEARING ON THE ARBITRATION SETTLEMENT IN ACCORDANCE WITH § 5-312 OF THIS SUBTITLE.~~

(H) (1) THE DIRECTOR SHALL ADOPT GUIDELINES THAT ESTABLISH A SCHEDULE FOR THE PROMPT AND TIMELY PROCESSING AND RESOLUTION OF EACH COMPLAINT MADE TO THE DIRECTOR.

(2) BEGINNING DECEMBER 31, 1998, AND ON OR BEFORE DECEMBER 31 OF EACH YEAR THEREAFTER, THE DIRECTOR SHALL REPORT, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON THE NUMBER