

(iii) unnatural or perverted sexual practices.

[(v)] (X) "Unsubstantiated" means a finding that there is an insufficient amount of evidence to support a finding of indicated or ruled out.

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~~ INDIVIDUAL alleged to have abused or neglected a child:

(1) of the finding; ~~and~~

(2) [that the person may request an administrative hearing to] OF THE OPPORTUNITY TO appeal the finding IN ACCORDANCE WITH THIS SECTION; AND

(3) IF THE INDIVIDUAL HAS BEEN FOUND RESPONSIBLE FOR INDICATED ABUSE OR NEGLECT, THAT THE INDIVIDUAL MAY BE IDENTIFIED IN A CENTRAL REGISTRY AS RESPONSIBLE FOR ABUSE OR NEGLECT UNDER THE CIRCUMSTANCES SPECIFIED IN § 5-714(E) OF THIS SUBTITLE.

(b) (1) [A] IN THE CASE OF A FINDING OF INDICATED ABUSE OR NEGLECT, A ~~person~~ AN INDIVIDUAL may request [an administrative hearing] A CONTESTED CASE HEARING TO APPEAL THE FINDING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE by responding to the notice of the local department of social services in writing within [60]-30 days.

[(c)] The local department shall forward all requests for hearings to the Office of Administrative Hearings within 10 days of receipt.

(d) 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.]

[(e)] (2) Unless the ~~person~~ INDIVIDUAL and the department agree on another location, [the] A CONTESTED CASE hearing shall be held [in the manner provided under § 5-706.2 of this subtitle] in the jurisdiction in which the ~~person~~ INDIVIDUAL alleged to have abused or neglected a child resides.

[(f)] (3) (I) 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.

[(g)] (II) If after final disposition of the criminal charge, the ~~person~~ INDIVIDUAL 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.