

(2) THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL HOLD A HEARING ON THE COMPLAINT AS PROMPTLY AS PRACTICABLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-102.1(d) and the first sentence of (e).

In subsection (c)(1) of this section, the requirement that the complaint be referred to the Office of Administrative Hearings is new language added to state expressly that which was only implied in the former law.

As to the references to "complaint" that are substituted for the former references to "grievance or complaint" throughout this section, see Revisor's Note to § 10-206 of this subtitle.

Defined terms: "Office" § 10-201  
"Secretary" § 1-101

10-208. HEARING.

(A) CONDUCT OF HEARINGS AT CERTAIN INSTITUTIONS.

THE OFFICE OF ADMINISTRATIVE HEARINGS MAY CONDUCT HEARINGS UNDER THIS SUBTITLE AT CORRECTIONAL FACILITIES IN THE DIVISION OF CORRECTION OR AT THE PATUXENT INSTITUTION.

(B) ACCESS TO DOCUMENTARY EVIDENCE.

WITH THE APPROVAL OF THE SECRETARY, THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL HAVE ACCESS TO DOCUMENTARY EVIDENCE OF ANY PERSON OR FACILITY THAT IS THE SUBJECT OF AN INVESTIGATION OR PROCEEDING UNDER THIS SUBTITLE:

- (1) AT ALL REASONABLE TIMES; AND
- (2) FOR THE PURPOSE OF EXAMINING AND COPYING THE EVIDENCE.

(C) SUBPOENAS; OATHS; RECORD OF TESTIMONY.

(1) THE OFFICE OF ADMINISTRATIVE HEARINGS MAY ISSUE SUBPOENAS REQUIRING:

- (I) THE ATTENDANCE AND TESTIMONY OF WITNESSES; AND
- (II) THE PRODUCTION OF DOCUMENTARY EVIDENCE RELATING TO ANY MATTER UNDER INVESTIGATION.

(2) THE ADMINISTRATIVE LAW JUDGE PRESIDING AT A HEARING MAY ADMINISTER OATHS.

(3) A RECORD OF THE TESTIMONY PRESENTED AT THE HEARING SHALL BE KEPT IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE OFFICE OF ADMINISTRATIVE HEARINGS.

(D) RIGHTS OF COMPLAINANT.