

licensee is convicted of or pleads guilty or nolo contendere with respect to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

(2) After completion of the appellate process if the conviction has not been reversed or the plea has not been set aside with respect to a crime involving moral turpitude, the Board shall order the revocation of a license on the certification by the Office of the Attorney General.

14-405.

(a) Except as otherwise provided in the Administrative Procedure Act, before the Board takes any action under § 14-404(a) of this subtitle or § 14-5A-17(a) of this title, it shall give the individual against whom the action is contemplated an opportunity for a hearing before a hearing officer ~~OR THE SUBCOMMITTEE OF THE BOARD ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.~~

~~(B) THE CHAIRMAN OF THE BOARD MAY DELEGATE THE AUTHORITY TO CONDUCT A HEARING TO A SUBCOMMITTEE CONSISTING OF THREE OR MORE BOARD MEMBERS.~~

~~[(b)] (C)~~ (1) The hearing officer ~~OR THE SUBCOMMITTEE OF THE BOARD~~ shall give notice and hold the hearing in accordance with the Administrative Procedure Act [except that factual findings shall be supported by clear and convincing evidence].

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, FACTUAL FINDINGS SHALL BE SUPPORTED BY A PREPONDERANCE OF THE EVIDENCE.

(3) FACTUAL FINDINGS SHALL BE SUPPORTED BY CLEAR AND CONVINCING EVIDENCE IF THE CHARGE OF THE BOARD IS BASED ON § 14-404(A)(22), § 14-5A-17(A)(18), OR § 14-5B-14(A)(18) OF THIS TITLE.

~~[(c)] (D)~~ The individual may be represented at the hearing by counsel.

~~[(d)] (E)~~ If after due notice the individual against whom the action is contemplated fails or refuses to appear, nevertheless the hearing officer ~~OR THE SUBCOMMITTEE OF THE BOARD~~ may hear and refer the matter to the Board for disposition.

~~[(e)] (F)~~ After performing any necessary hearing under this section, the hearing officer ~~OR THE SUBCOMMITTEE OF THE BOARD~~ shall refer proposed factual findings to the Board for the Board's disposition.

~~[(f)] (G)~~ The Board may adopt regulations to govern the taking of depositions and discovery in the hearing of charges.

~~[(g)] (H)~~ The hearing of charges may not be stayed or challenged by any procedural defects alleged to have occurred prior to the filing of charges.