

(E) A FORENSIC LABORATORY THAT FAILS TO COMPLY WITH AN ORDER ISSUED BY THE SECRETARY UNDER SUBSECTION ~~(D)~~ (C) OF THIS SECTION IS SUBJECT TO A CIVIL PENALTY OF UP TO \$1,000 FOR EACH DAY OF NONCOMPLIANCE AFTER THE DEADLINE FOR COMPLIANCE STATED IN THE SECRETARY'S ORDER, NOT TO EXCEED A MAXIMUM PENALTY OF \$50,000.

(F) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE SECRETARY DENIES, SUSPENDS, OR REVOKES A LICENSE, OR IMPOSES A CIVIL PENALTY UNDER THIS SECTION, THE SECRETARY SHALL GIVE THE APPLICANT OR LICENSEE NOTICE AND AN OPPORTUNITY FOR A HEARING.

~~17-2A-13, 17-2A-10.~~

(A) IN THIS SECTION, "DISCRIMINATE OR RETALIATE" INCLUDES:

(1) FAILING TO PROMOTE AN INDIVIDUAL OR TO PROVIDE ANOTHER EMPLOYMENT-RELATED BENEFIT FOR WHICH THE INDIVIDUAL WOULD OTHERWISE BE ELIGIBLE;

(2) MAKING AN ADVERSE EVALUATION OR DECISION IN RELATION TO ACCREDITATION, CERTIFICATION, CREDENTIALING, OR LICENSING OF THE INDIVIDUAL; OR

(3) TAKING A PERSONNEL ACTION THAT IS ADVERSE TO THE INDIVIDUAL CONCERNED.

~~(B) (1) A FORENSIC LABORATORY SHALL POST IN A CONSPICUOUS PLACE A NOTICE TO EMPLOYEES THAT INDICATES THE MANNER IN WHICH TO REPORT INSTANCES OF NONCOMPLIANCE WITH THE REQUIREMENTS OF THIS SUBTITLE, INCLUDING DEFICIENCIES WITH RESPECT TO TESTING, QUALITY, AND TRAINING OF PERSONNEL.~~

~~(2) A NOTICE UNDER THIS SUBSECTION SHALL INCLUDE:~~

~~(i) THE NAME AND CONTACT INFORMATION OF THE APPROPRIATE ENTITY OR STATE AGENCY TO WHICH INSTANCES OF NONCOMPLIANCE MAY BE REPORTED; AND~~

~~(ii) A DESCRIPTION OF THE RIGHTS OF AND PROTECTIONS AVAILABLE TO INDIVIDUALS WHO REPORT INSTANCES OF NONCOMPLIANCE.~~