

employees of the Division of Correction or the Patuxent Institution, may submit such grievance or complaint to the Inmate Grievance [Commission] OFFICE within such time and in such manner as prescribed by regulations promulgated by the [Commission] OFFICE. If, and to the extent that, the Division of Correction or the Patuxent Institution has a grievance or complaint procedure applicable to an inmate's particular grievance or complaint, and if the [Inmate Grievance Commission] OFFICE deems such procedure reasonable and fair, the [Commission] OFFICE may by regulations require that such procedure be exhausted prior to the submission of the grievance or complaint to the [Commission] OFFICE.

[(e)] (D) When a grievance or complaint is submitted to the Inmate Grievance [Commission] OFFICE, the [Commission, or any member thereof or the] executive director[, if so provided by the Commission's regulations,] OR THE DIRECTOR'S DESIGNEE shall preliminarily review the grievance or complaint. If upon such preliminary review the grievance or complaint is determined to be on its face wholly lacking in merit, it may be dismissed, by the [reviewing commissioners or commissioner or] executive director [as the case may be,] OR THE DIRECTOR'S DESIGNEE without a hearing or without specific findings of fact. Such order of dismissal shall be forwarded to the complainant within 60 days after submission of the grievance or complaint and shall constitute the final decision of the Secretary of Public Safety and Correctional Services for purposes of any judicial review.

[(f)] (E) Whenever, after the preliminary review provided for in subsection [(e)] (D), a grievance or complaint is not found to be on its face wholly lacking in merit, the [Commission] OFFICE OF ADMINISTRATIVE HEARINGS shall as promptly as practicable hold a hearing on the grievance or complaint. [At least three members of the Commission shall sit at any hearing, and decisions shall be by a majority of those sitting.] A record of the testimony presented at the hearing shall be kept according to the rules and regulations promulgated by the [Commission] OFFICE OF ADMINISTRATIVE HEARINGS. The [Commission's] decision shall be issued promptly after the hearing in the form of an order which shall include a statement of the findings of fact, the [Commission's] conclusions OF THE OFFICE OF ADMINISTRATIVE HEARINGS, and its disposition of the complaint. The types of disposition shall be as follows:

(1) If after the hearing, the [Commission] OFFICE OF ADMINISTRATIVE HEARINGS finds in its order that the complaint is wholly lacking in merit and should be dismissed, such an order of dismissal shall be promptly forwarded to the complainant and shall constitute the final decision of the Secretary of Public Safety and Correctional Services for purposes of any judicial review.

(2) However, if after the hearing, the [Commission] OFFICE OF ADMINISTRATIVE HEARINGS in its order finds that the inmate's complaint was in whole or in part meritorious, such order shall be promptly forwarded to the Secretary of Public Safety and Correctional Services. Within [fifteen] 15 days of the receipt of such an order, the Secretary by order shall affirm the order of the [Commission] OFFICE OF ADMINISTRATIVE HEARINGS, or shall reverse or modify the order where he disagrees with the findings and conclusions of the [Commission] OFFICE OF ADMINISTRATIVE HEARINGS. The Secretary shall order that the appropriate official of the institution in question accept in whole or in part the recommendation of the