

~~(2) UNLESS THERE IS AN IMMEDIATE THREAT TO THE HEALTH AND SAFETY OF PATIENTS OR EMPLOYEES, THE SECRETARY SHALL NOTIFY THE LICENSEE 5 DAYS PRIOR TO CONDUCTING AN ON SITE INSPECTION UNDER THIS SECTION.~~

(c) (1) The Secretary shall issue a license [or a provisional license] to an applicant that demonstrates that the applicant meets all the requirements of this subtitle and all applicable regulations of the Secretary.

(2) The Secretary may consult with the Health Resources Planning Commission before issuing a license.

(d) The Secretary, by regulation, may encourage the joint acquisition, purchase, or operation of major medical equipment by 2 or more providers, despite the fact that such joint acquisition, purchase, or operation may limit free economic competition.

(E) (1) THE SECRETARY MAY SET REASONABLE FEES FOR THE ISSUANCE OF A LICENSE OR PROVISIONAL LICENSE UNDER THIS SUBTITLE.

(2) THE FEES SET BY THE SECRETARY SHALL BE SET IN A MANNER THAT WILL PRODUCE SUFFICIENT FUNDS TO COVER THE REASONABLE COSTS OF ADMINISTERING THE LICENSING PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

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(a) (1) The Secretary may deny a license [or a provisional license] to any applicant, or suspend, restrict, or revoke a license [or a provisional license] if the applicant has been convicted of:

- (i) A felony that relates to Medicaid; or
- (ii) A crime involving moral turpitude.

(2) IF A LICENSEE HAS DEMONSTRATED NONCOMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE OR ANY REGULATION ADOPTED UNDER THIS SUBTITLE, THE SECRETARY MAY ISSUE A PROVISIONAL LICENSE FOR A SPECIFIED PERIOD OF TIME NOT TO EXCEED 1 YEAR THAT IMPOSES RESTRICTIONS OR CONDITIONS ON THE LICENSEE NECESSARY TO ENSURE COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE OR THE REGULATIONS ADOPTED UNDER THIS SUBTITLE.

[(2)](3) The Secretary may deny a license [or a provisional license] to any applicant, or may restrict, suspend, or revoke any license [or a provisional license] if the applicant does not meet the requirements of this subtitle or any regulation that the Secretary adopts under this subtitle.

[(3)](4) The Secretary may deny a license under this subtitle if: