

- (i) give the parties a reasonable opportunity for a fair hearing in accordance with the notice provisions in §§ 10-207 and 10-208 of the State Government Article, except that the provisions of § 10-208(b)(4) and (7) do not apply;
- (ii) make findings of fact and conclusions of law; and
- (iii) on the basis of those findings and conclusions, affirm, modify, or reverse a determination or redetermination.

[(3)] (4) If an appeal involves an issue of whether employment that a claimant performed is covered employment:

- (i) the hearing examiner shall give special notice of the issue and appeal to the Secretary and employer; and
- (ii) on receipt of the notice, the Secretary and employer shall be parties to the proceeding and be given reasonable opportunity to offer evidence on that issue.

[(4)] (5) The hearing examiner promptly shall mail to each party at the last known address of the party or otherwise deliver to the party:

- (i) notice of the decision of the hearing examiner; and
- (ii) a copy of the decision and the findings of fact and conclusions of law that support the decision.

[(5)] (6) A decision under this subsection is final unless within 15 days after the mailing or other delivery of notice of the decision, further review is initiated under subsection (h) of this section.

(h) (1) When a party files an appeal of a decision under subsection (g) of this section:

- (i) if the hearing examiner did not affirm the determination or redetermination of the claim, the Board of Appeals shall allow the appeal; and
- (ii) if the hearing examiner affirmed the determination or redetermination, the Board of Appeals may allow the appeal.

(2) On the filing of an appeal or on its own motion, the Board of Appeals may affirm, modify, or reverse the findings and conclusions of a hearing examiner on the basis of evidence that was submitted previously in the case or that the Board of Appeals directs to be taken.

(3) The Board of Appeals promptly shall mail notice of its decision, including its findings and conclusions, to the last known address of each party or otherwise deliver the notice. The decision is final subject to judicial review after 10 days after the mailing or other delivery.

(4) If the Board of Appeals does not allow an appeal of a decision of a hearing examiner: