

16-211. SAME — HEARINGS.

(A) RIGHT TO HEARING.

EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 4 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE COMPTROLLER TAKES ANY FINAL ACTION UNDER § 16-210 OF THIS SUBTITLE, THE COMPTROLLER SHALL GIVE THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE COMPTROLLER.

(B) APPLICATION OF CONTESTED CASE PROVISIONS.

THE COMPTROLLER SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) OATHS.

THE COMPTROLLER MAY ADMINISTER OATHS IN A PROCEEDING UNDER THIS SECTION.

(D) RIGHT TO COUNSEL.

THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

(E) FAILURE TO APPEAR.

IF, AFTER DUE NOTICE, THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED DOES NOT APPEAR, NEVERTHELESS THE COMPTROLLER MAY HEAR AND DETERMINE THE MATTER.

REVISOR'S NOTE: Subsections (a) through (d) of this section are new language derived without substantive change from former Art. 56, § 619.

Subsection (e) of this section is new language added to clarify that, after an accused person has been given proper notice, the Comptroller may proceed with a hearing even if the person fails to appear.

Defined terms: "Comptroller" § 1-101

"Person" § 1-101

16-212. PERIOD AND NOTICE OF DISCIPLINARY ACTION; REVOCATION.

(A) PERIOD OF SUSPENSION.

SUBJECT TO THE NOTICE REQUIREMENT OF SUBSECTION (C) OF THIS SECTION, IF A LICENSEE ENGAGES IN AN ACT OR OMISSION THAT IS A GROUND FOR DISCIPLINE UNDER § 16-210 OF THIS SUBTITLE, THE COMPTROLLER SHALL SUSPEND THE LICENSE FOR A CONSECUTIVE PERIOD THAT: