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§10–202.

(a) In this subtitle the following words have the meanings indicated.

(b) “Agency” means:

(1) an officer or unit of the State government authorized by law to adjudicate contested cases; or

(2) a unit that:

(i) is created by general law;

(ii) operates in at least 2 counties; and

(iii) is authorized by law to adjudicate contested cases.

(c) “Agency head” means:

(1) an individual or group of individuals in whom the ultimate legal authority of an agency is vested by any provision of law; or

(2) the secretary of the State department that is responsible for State programs that are administered by the Montgomery County Department of Health and Human Services.

(d) (1) “Contested case” means a proceeding before an agency to determine:

(i) a right, duty, statutory entitlement, or privilege of a person that is required by statute or constitution to be determined only after an opportunity for an agency hearing; or

(ii) the grant, denial, renewal, revocation, suspension, or amendment of a license that is required by statute or constitution to be determined only after an opportunity for an agency hearing.

(2) “Contested case” does not include a proceeding before an agency involving an agency hearing required only by regulation unless the regulation expressly, or by clear implication, requires the hearing to be held in accordance with this subtitle.

(e) “License” means all or any part of permission that:

(1) is required by law to be obtained from an agency;

(2) is not required only for revenue purposes; and

(3) is in any form, including:

(i) an approval;

(ii) a certificate;

(iii) a charter;

(iv) a permit; or

(v) a registration.

(f) “Office” means the Office of Administrative Hearings.

(g) “Presiding officer” means the board, commission, agency head, administrative law judge, or other authorized person conducting an administrative proceeding under this subtitle.

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