

SB0981/456084/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 981
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Powers” insert “and the Board of Review”; in the same line, strike “Revision” and substitute “Revisions”; in line 8, after “law;” insert “repealing the authority for certain persons to appeal certain decisions to the Board of Review, followed by a certain appeal; specifying that certain persons may take certain judicial appeals;”; in line 9, strike “quasi-judicial powers of the”; and in line 12, after “14-206” insert “and 14-408”.

AMENDMENT NO. 2

On page 3, after line 3, insert:

“14-408.

(a) [Except as provided in this section for an action under § 14–404 of this subtitle or § 14–5A–17 of this title, any person aggrieved by a final decision of the Board in a contested case, as defined in the Administrative Procedure Act, may:

(1) Appeal that decision to the Board of Review; and

(2) Then take any further appeal allowed by the Administrative Procedure Act.

(b) (1) Any person aggrieved by a final decision of the Board IN A CONTESTED CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE ACT, [under § 14–404 of this subtitle or § 14–5A–17 of this title may not appeal to the Secretary or Board of Review but] may take a direct judicial appeal.

(Over)

(2) The appeal shall be made as provided for judicial review of final decisions in the Administrative Procedure Act.

[(c)] (B) An order of the Board may not be stayed pending review.

[(d)] (C) The Board may appeal from any decision that reverses or modifies its order.”.