

action is contemplated an opportunity for a hearing before the Board.

(b) The Board shall give notice and hold the hearing in accordance with the Administrative Procedure Act.

(c) The hearing notice to be given to the individual shall be sent by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the last known address of the individual at least 20 days before the hearing.

(d) The individual may be represented at the hearing by counsel.

(E) OVER THE SIGNATURE OF AN OFFICER OR THE EXECUTIVE DIRECTOR OF THE BOARD, THE BOARD MAY ISSUE SUBPOENAS AND ADMINISTER OATHS IN CONNECTION WITH ANY INVESTIGATION UNDER THIS TITLE AND ANY HEARINGS OR PROCEEDINGS BEFORE IT.

(F) IF, WITHOUT LAWFUL EXCUSE, A PERSON DISOBEYS A SUBPOENA FROM THE BOARD OR AN ORDER BY THE BOARD TO TAKE AN OATH OR TO TESTIFY OR ANSWER A QUESTION, THEN, ON PETITION OF THE BOARD, A COURT OF COMPETENT JURISDICTION MAY PUNISH THE PERSON AS FOR CONTEMPT OF COURT.

[(e)] (G) If after due notice the individual against whom the action is contemplated fails or refuses to appear, nevertheless the Board may hear and determine the matter.

12-409.

{A} Subject to the hearing provisions of § 12-410 of this subtitle, the Board may suspend or revoke any pharmacy permit, OR IMPOSE-A-PENALTY-NOT-EXCEEDING-\$5,000, if the pharmacy:

(1) Is conducted so as to endanger the public health or safety;

(2) Violates any of the standards specified in § 12-403 of this subtitle; or

(3) Otherwise is not conducted in accordance with the law.

{B}--THE-BOARD-MAY-IMPOSE-THE-MONETARY--PENALTY--UNDER--THIS SECTION--SEPARATELY--OR--IN--ADDITION--TO-A-REPRIMAND,-PROBATION, SUSPENSION,-OR-REVOCATION-

{C}--THE-BOARD-SHALL-ADOPT--RULES--AND--REGULATIONS--TO--SET STANDARDS-FOR-THE-IMPOSITION-OF-PENALTIES-UNDER-THIS-SECTION-

{D}--THE--BOARD--SHALL--PAY-ANY-PENALTY-COLLECTED-UNDER-THIS SECTION-INTO-THE-GENERAL-FUND-OF-THIS-STATE-

-{12-409.1.