



Rep. Angelo Saviano

Filed: 6/14/2007

09500SB0149ham002

LRB095 06389 RAS 37645 a

1 AMENDMENT TO SENATE BILL 149

2 AMENDMENT NO. _____. Amend Senate Bill 149 on page 26, by
3 replacing lines 8 through 14 with the following:

4 "~~Director~~. The Disciplinary Board shall have 60 days from
5 receipt of the report to review the report of the hearing
6 officer and present their findings of fact, conclusions of law,
7 and recommendations to the Secretary ~~Director~~. If the
8 Disciplinary Board fails to present its report within the 60
9 day period, the respondent may request in writing a direct
10 appeal to the Secretary, in which case the Secretary shall,
11 within 7 calendar days after the request, issue an order
12 directing the Disciplinary Board to issue its findings of fact,
13 conclusions of law, and recommendations to the Secretary within
14 30 calendar days after such order. If the Disciplinary Board
15 fails to issue its findings of fact, conclusions of law, and
16 recommendations within that time frame to the Secretary after
17 the entry of such order, the Secretary shall, within 30
18 calendar days thereafter, issue an order based upon the report

1 of the hearing officer and the record of the proceedings or
2 issue an order remanding the matter back to the hearing officer
3 for additional proceedings in accordance with the order. If (i)
4 a direct appeal is requested, (ii) the Disciplinary Board fails
5 to issue its findings of fact, conclusions of law, and
6 recommendations within the 30-day mandate from the Secretary or
7 the Secretary fails to order the Disciplinary Board to do so,
8 and (iii) the Secretary fails to issue an order within 30
9 calendar days thereafter, then the hearing officer's report is
10 deemed accepted and a final decision of the Secretary.
11 Notwithstanding any other provision of this Section, if the
12 Secretary, upon review, determines that substantial justice
13 has not been done in the revocation, suspension, or refusal to
14 issue or renew a license or other disciplinary action taken as
15 the result of the entry of the hearing officer's report, the
16 Secretary may order a rehearing by the same or other examiners
17 ~~the Director shall issue an order based on the report of the~~
18 ~~hearing officer.~~ If the Secretary".