

230 CMR: DIVISION OF PROFESSIONAL LICENSURE

230 CMR 16.00: PRIVATE OCCUPATIONAL SCHOOLS: DENIALS OF LICENSURE AND DISCIPLINARY ACTION

Section

16.01: Denial of Licensure

16.02: Disciplinary Action

16.01: Denial of Licensure

(1) The division may deny a license for any cause allowed by law. Such cause includes, but is not necessarily limited to, the grounds for disciplining a licensee pursuant to M.G.L. c. 112, § 263(i) and the failure to comply with 230 CMR 12.00 through 17.00.

(2) All denials of licensure shall be in writing and shall outline the basis for that denial. An approval not granted due to the applicant failing to provide complete information shall not be considered a denial and shall not be entitled to further review. An aggrieved applicant in receipt of a denial may seek reconsideration of that denial. Such a request for reconsideration must be filed with the division, in writing, within ten business days of the division's denial. This request must address each and every ground for denial. If the division concludes that this request creates a genuine dispute of fact, the division may offer the aggrieved applicant an adjudicatory proceeding. If the request fails to create a genuine dispute of fact, the applicant may not be entitled to further review by the division. The applicant shall be entitled to appeal subject to M.G.L. c. 30A.

16.02: Disciplinary Action

(1) The division may discipline a licensee for good cause, subject to the provisions of M.G.L. c. 30A. Such good cause includes, but is not necessarily limited to, the grounds in M.G.L. c. 112, § 263(i) and the violation of 230 CMR 12.00 through 17.00.

(2) Prior to the disciplining of a licensee, the division shall provide the licensee written notification of the intended action and, if applicable, any rights to a hearing required by law in accordance with M.G.L. c. 30A.

(3) In accordance with 230 CMR 15.05(5), Schools shall post any notices of discipline issued by the division.

(4) Unless explicitly exempted by the division, all discipline imposed against a licensed individual or entity shall apply to all other licenses issued by the division to that individual or entity.

REGULATORY AUTHORITY

230 CMR 16.00: M.G.L. c. 112, § 263.