

## **.04 Rights of Applicant if License Denied or Revoked.**

A. Denial of License—Proposed Facility. The Secretary shall inform the applicant of the reasons for refusal to issue a license.

B. Revocation of License.

(1) The Secretary may, for cause shown, revoke or refuse to reissue any license issued by the Secretary. The Secretary shall consider the following factors in deciding whether a facility's license should be revoked:

(a) The number, nature, and seriousness of the deficiencies;

(b) The degree of risk to the residents posed by the deficiencies;

(c) The compliance history of the facility; and

(d) Background of the owner and management, including the owner's and management's experience in operating facilities and other businesses.

(2) The licensee shall have the right to a hearing before revocation of the facility's license. The hearing shall be held after 10 days notice to the licensee, and the licensee shall have an opportunity to be represented by counsel at the hearing.