§ 3605-a. Proceedings involving the license of a home care services agency. 1. A license of a home care services agency may be revoked, suspended, limited or annulled by the commissioner on proof that it has failed to comply with the provisions of this article or rules and regulations promulgated thereunder.

2. No such license shall be revoked, suspended, limited, annulled or denied without a hearing. However, a license may be temporarily suspended or limited without a hearing for a period not in excess of thirty days upon written notice to the agency following a finding by the department that the public health or safety is in imminent danger. Notwithstanding the provisions of this section, no licensed home care services agency shall be permitted to operate unless it has registered with the department pursuant to section thirty-six hundred five-b of this article.

3. The commissioner shall fix a time and place for the hearing. A copy of the charges, together with the notice of the time and place of the hearing, shall be served in person or mailed by registered or certified mail to the agency at least twenty-one days before the date fixed for the hearing. The agency shall file with the department not less than eight days prior to the hearing, a written answer to the charges.

4. All orders or determinations hereunder shall be subject to review as provided in article seventy-eight of the civil practice law and rules. Application for such review must be made within sixty days after service in person or by registered or certified mail of a copy of the order or determination upon the applicant or agency.