

PATIENT WHILE INTOXICATED OR UNDER THE INFLUENCE OF DRUGS.

(10) HAS BEEN CONVICTED OF A FELONY.

(11) IS GUILTY OF A CRIME INVOLVING MORAL TURPITUDE IF THE NATURE OF THE OFFENSE BEARS DIRECTLY ON THE PERSON'S FITNESS TO PRACTICE NURSING.

(12) HAS VIOLATED ANY PROVISION OF THIS SUBTITLE.

(B) UPON FILING OF A COMPLAINT UNDER OATH OR AFFIRMATION WITH THE BOARD CHARGING ANY LICENSEE OR APPLICANT IN SUBSECTION (A), THE BOARD OR ITS AUTHORIZED REPRESENTATIVE SHALL FIX A TIME AND PLACE FOR A HEARING AND SHALL CAUSE A COPY OF THE COMPLAINT, TOGETHER WITH A NOTICE OF THE TIME AND PLACE FIXED FOR THE HEARING TO BE SERVED ON THE ACCUSED AT LEAST 30 DAYS PRIOR TO THE HEARING.

(C) HEARINGS AND JUDICIAL REVIEW OF BOARD DECISIONS SHALL BE IN ACCORDANCE WITH THE MARYLAND "ADMINISTRATIVE PROCEDURE ACT" OF THIS CODE. IN ADDITION, PARTIES COMPLAINED AGAINST ARE ENTITLED TO BE REPRESENTED BY COUNSEL. REVOCATION, SUSPENSION OR DENIAL OF A LICENSE BY THE BOARD MAY NOT BE STAYED PENDING JUDICIAL REVIEW.

(D) IF THE LICENSE HAS BEEN REVOKED OR SUSPENDED, THE ORIGINAL LICENSE AND CURRENT LICENSE TO PRACTICE SHALL BE RETURNED TO THE BOARD. IF THE REVOKED OR SUSPENDED LICENSE HAS BEEN LOST, A STATEMENT UNDER OATH TO THIS EFFECT SHALL BE FILED WITH THE BOARD.

(E) A REVOKED OR SUSPENDED LICENSE MAY BE REINSTATED AFTER ONE YEAR, AT THE DISCRETION OF THE BOARD.

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THIS SUBTITLE DOES NOT PROHIBIT:

(A) THE FURNISHING OF NURSING ASSISTANCE IN AN EMERGENCY.

(B) THE PRACTICE OF NURSING WHICH IS INCIDENTAL TO THEIR PROGRAM OF STUDY BY STUDENTS ENROLLED IN NURSING EDUCATION PROGRAMS APPROVED BY THE BOARD.

(C) THE PRACTICE BY ANY LEGALLY QUALIFIED NURSE OF ANOTHER STATE, DISTRICT OR TERRITORY OF THE UNITED STATES WHO IS EMPLOYED BY THE UNITED STATES GOVERNMENT OR ANY BUREAU, DIVISION OR AGENCY OF THAT GOVERNMENT, WHILE IN THE DISCHARGE OF THE NURSES OFFICIAL DUTIES.