

In subsection (b)(2)(ii)1. of this section, the present phrase "in an institution of higher learning" is deleted to clarify that while an electrology education program must still be approved by the State Board for Higher Education the program need not be taught at an approved institution.

For the definition of "physician", see § 1-101 of this article.

5-403. WITHDRAWAL OF APPROVAL.

(A) GROUNDS FOR WITHDRAWAL OF APPROVAL.

THE BOARD MAY REMOVE AN INSTITUTION FROM ITS LIST OF INSTITUTIONS THAT OFFER APPROVED ELECTROLOGY EDUCATION PROGRAMS IF THE INSTITUTION:

(1) IS GUILTY OF FRAUD OR DECEIT IN OBTAINING OR ATTEMPTING TO OBTAIN APPROVAL;

(2) ACTS IN A MANNER INCONSISTENT WITH GENERALLY ACCEPTED STANDARDS FOR THE PRACTICE OF ELECTROLOGY;

(3) ADVERTISES IN A MANNER THAT THE BOARD DETERMINES VIOLATES § 5-502 OF THIS TITLE;

(4) VIOLATES THE STANDARDS SET UNDER THIS SUBTITLE AND DOES NOT CORRECT THE VIOLATION IN A REASONABLE TIME AFTER NOTICE IS GIVEN; OR

(5) NO LONGER OPERATES A PROGRAM THAT QUALIFIES FOR APPROVAL UNDER THIS SUBTITLE.

(B) HEARINGS AND PROCEDURE.

ANY ACTION TAKEN UNDER THIS SECTION SHALL BE IN ACCORDANCE WITH THE HEARING AND ADMINISTRATIVE AND JUDICIAL REVIEW PROVISIONS OF §§ 5-312 AND 5-313 OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 555B-30.

Subsection (a)(5) of this section is new language added to make express that which presently is only implied in the law -- that the Board may remove an institution from its list of institutions that offer approved programs if the program no longer qualifies for approval.

In subsection (b) of this section, the reference to § 5-313 of this title is new language added to clarify the extent of the administrative and judicial review provisions of this title. This addition conforms to a similar change made in § 7-404 of this article as to nurses.