

THE BOARD SHALL ADOPT RULES AND REGULATIONS THAT SPECIFY THE TYPES OF INSTRUMENTS AND PROCEDURES THAT THE BOARD APPROVES FOR USE IN THE PRACTICE AND TEACHING OF ELECTROLOGY.

(B) PERMITTED INSTRUMENTS AND PROCEDURES.

A LICENSEE MAY USE ONLY THOSE TYPES OF INSTRUMENTS AND PROCEDURES IN THE PRACTICE OF ELECTROLOGY OR TEACHING OF THE CLINICAL PRACTICE OF ELECTROLOGY THAT ARE APPROVED BY THE BOARD.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, §§ 555B-9(a)(2) and 555B-23(a)(10).

As to subsection (a) of this section, present Art. 43, § 555B-9 is not clear as to whether the Board has a duty to list the types of instruments that are approved, or merely the discretion to list the types of instruments. Since a licensee may be disciplined under § 5-311 of this title for using instruments and procedures that are not approved by the Board, the revision clarifies that the Board has a duty to indicate which instruments and procedures are approved.

Subsection (b) of this section sets out expressly what presently is only implied by the disciplinary section -- that a licensee may use only those instruments and procedures that are approved by the Board.

SUBTITLE 6. PROHIBITED ACTS; PENALTIES.

5-601. PRACTICING WITHOUT LICENSE.

EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE ELECTROLOGY OR TEACH, ATTEMPT TO TEACH, OR OFFER TO TEACH THE CLINICAL PRACTICE OF ELECTROLOGY IN THIS STATE UNLESS LICENSED BY THE BOARD.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 555B-35.

The references to "attempt" and "offer" to teach the clinical practice of electrology are added for clarity and to parallel the provisions as to an offer or attempt to practice electrology.

As to exemptions from the requirements of this title and as to license exceptions, see §§ 5-102 and 5-301(b) of this title.

5-602. MISREPRESENTATION.