

(4) IS INCOMPETENT TO PRACTICE OSTEOPATHY BECAUSE OF HABITUAL INTOXICATION OR BECAUSE OF ADDICTION TO ANY NARCOTIC DRUG OR OTHER SUBSTANCE; OR

(5) BEHAVES DISHONORABLY OR UNPROFESSIONALLY.

(B) ABORTION.

SUBJECT TO THE HEARING PROVISIONS OF § 11-311 OF THIS SUBTITLE, ON THE AFFIRMATIVE VOTE OF AT LEAST THREE MEMBERS OF THE BOARD, THE BOARD MAY REPRIMAND ANY LICENSEE OR SUSPEND OR REVOKE A LICENSE IF THE LICENSEE IS CONVICTED OF PROCURING, AIDING, OR ABETTING A CRIMINAL ABORTION.

REVISOR'S NOTE: This section is new language derived in part from the first and third sentences of Art. 43, § 480(a) and the first sentence of (g).

In this section and, where necessary, corresponding sections of other titles of this article, the reference to the power of the Board to reprimand a licensee is added to state specifically a power that is inherent in the express power to suspend or revoke a license.

Subsection (a)(1) of this section is derived in part from the present reference to using fraud or deceit to pass the examination and is restated in the broader standard provisions governing other health occupations in this article. It states a fundamental ground for disciplining a licensee.

Subsection (a)(2) of this section is new language added to conform to similar provisions governing other health occupations in this article. It states a fundamental ground for disciplining a licensee.

As to subsection (a)(1) and (2) of this section, for examples of such provisions in the present law, see present Art. 43, § 130(h)(1), as to physicians, and present Art. 43, § 266A(c)(1)(iii), as to pharmacists.

In subsection (a)(4) of this section, the phrase "is incompetent to practice osteopathy" is substituted for the phrase "which impairs intellect, and judgment, to such an extent as to incapacitate the performance of professional duties", for clarity.

As to subsection (b) of this section, the attention of the General Assembly is called to the ambiguous provisions of present Art. 43, § 480(a) on disciplining a licensee for procuring, aiding, or abetting a criminal abortion. While the present law speaks first to the Board's