

(1) CONSENTED TO SUBMIT TO AN EXAMINATION UNDER THIS SECTION, IF REQUESTED BY THE COMMISSION IN WRITING; AND

(2) WAIVED ANY CLAIM OF PRIVILEGE AS TO THE TESTIMONY OR EXAMINATION REPORTS OF THE EXAMINING LICENSED PHYSICIAN.

(C) FAILURE OF LICENSED PHYSICIAN TO SUBMIT TO EXAMINATION.

AT ANY DISCIPLINARY HEARING BEFORE THE COMMISSION, THE FAILURE OR REFUSAL OF THE LICENSED PHYSICIAN TO SUBMIT TO AN EXAMINATION IS PRIMA FACIE EVIDENCE OF THE LICENSED PHYSICIAN'S INABILITY TO PRACTICE MEDICINE COMPETENTLY, UNLESS THE COMMISSION FINDS THAT THE FAILURE OR REFUSAL WAS BEYOND THE CONTROL OF THE LICENSED PHYSICIAN.

(D) COST OF EXAMINATION.

THE COMMISSION SHALL PAY THE COSTS OF ANY EXAMINATION MADE UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 130(g)(3).

In subsection (c) of this section, the phrase "to practice medicine competently" is substituted for the clause "and in compliance with standards of acceptable and prevailing medical practice ...", for clarity.

14-503. SAME -- CONDITIONS FOR SURRENDER OF LICENSE.

~~{1}--IN--CONNECTION--WITH--AN--INVESTIGATION--OF--A LICENSED--PHYSICIAN--OR--A--FILING--OF--CHARGES--AGAINST--A--LICENSED PHYSICIAN,--THE--COMMISSION--MAY--SET--CONDITIONS--BEFORE ACCEPTING--THE--SURRENDER--OF--THE--PHYSICIAN'S--LICENSE--~~

(A) AGREEMENT OF COMMISSION REQUIRED.

~~{2}~~ UNLESS THE COMMISSION AGREES TO ACCEPT THE SURRENDER OF A LICENSE, A LICENSED PHYSICIAN MAY NOT SURRENDER THE LICENSE WHILE UNDER INVESTIGATION OR WHILE CHARGES ARE PENDING AGAINST THE PHYSICIAN.

(B) CONDITIONS ON AGREEMENT.

THE COMMISSION MAY SET CONDITIONS ON ITS AGREEMENT WITH THE PHYSICIAN UNDER INVESTIGATION OR AGAINST WHOM CHARGES ARE PENDING TO ACCEPT SURRENDER OF THE PHYSICIAN'S LICENSE.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 130(s).