

[(28)] (29) Fails to cooperate with a lawful investigation conducted by the Board or the Division of Drug Control;

(30) DELEGATES PHARMACY ACTS TO A REGISTERED PHARMACY TECHNICIAN, PHARMACY STUDENT, OR A PHARMACY TECHNICIAN TRAINEE OUTSIDE THE SCOPE OF EDUCATION, TRAINING, EXPERIENCE, AND AREA OF PRACTICE OF A LICENSED PHARMACIST; OR

(31) DELEGATES PHARMACY ACTS THAT ARE INAPPROPRIATE FOR A REGISTERED PHARMACY TECHNICIAN, PHARMACY STUDENT, OR PHARMACY TECHNICIAN TRAINEE WHO DOES NOT HAVE THE EDUCATION, TRAINING, OR EXPERIENCE TO PERFORM THE DELEGATED PHARMACY ACTS.

12-315.

(a) Except as otherwise provided in the Administrative Procedure Act, before the Board takes any action under § 12-313 of this subtitle OR § 12-6B-09 OF THIS TITLE, it shall give the individual against whom the action is contemplated an opportunity for a hearing before the Board.

12-316.

(a) Except as provided in this section for an action under § 12-313 of this subtitle OR § 12-6B-09 OF THIS TITLE, any person aggrieved by a final decision of the Board in a contested case, as defined in the Administrative Procedure Act, may:

(1) Appeal that decision to the Board of Review; and

(2) Then take any further appeal allowed by the Administrative Procedure Act.

(b) (1) Any person aggrieved by a final decision of the Board under § 12-313 of this subtitle OR § 12-6B-09 OF THIS TITLE may not appeal to the Secretary or Board of Review but may take a direct judicial appeal.

(2) The appeal shall be made as provided for judicial review of final decisions in the Administrative Procedure Act.

12-317.

(a) In this section, "pharmacist rehabilitation committee" means a group, the majority of which is comprised of pharmacists, that is recognized by the Board.

(b) For purposes of this section, a pharmacist rehabilitation committee evaluates and provides assistance to any pharmacist OR REGISTERED PHARMACY TECHNICIAN in need of treatment and rehabilitation for alcoholism, drug abuse, chemical dependency, or other physical, emotional, or mental condition.

(c) (1) Except as otherwise provided in this section, the proceedings, records, and files of a pharmacist rehabilitation committee are not discoverable and are not admissible in evidence in any civil action arising out of matters that are being or have been reviewed and evaluated by the pharmacist rehabilitation committee.