

14-5C-17.

(A) SUBJECT TO THE HEARING PROVISIONS OF § 14-405 OF THIS TITLE, THE BOARD MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY LICENSEE, PLACE ANY LICENSEE ON PROBATION, OR SUSPEND OR REVOKE A LICENSE IF THE APPLICANT OR LICENSEE:

- (1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO OBTAIN A LICENSE FOR THE APPLICANT, LICENSEE, OR FOR ANOTHER;
- (2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;
- (3) IS GUILTY OF UNPROFESSIONAL OR IMMORAL CONDUCT IN THE PRACTICE OF POLYSOMNOGRAPHY;
- (4) IS PROFESSIONALLY, PHYSICALLY, OR MENTALLY INCOMPETENT;
- (5) ABANDONS A PATIENT;
- (6) IS HABITUALLY INTOXICATED;
- (7) IS ADDICTED TO OR HABITUALLY ABUSES ANY NARCOTIC OR CONTROLLED DANGEROUS SUBSTANCE AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE;
- (8) PROVIDES PROFESSIONAL SERVICES WHILE:
 - (I) UNDER THE INFLUENCE OF ALCOHOL; OR
 - (II) USING ANY NARCOTIC OR CONTROLLED DANGEROUS SUBSTANCE AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE OR ANY OTHER DRUG THAT IS IN EXCESS OF THERAPEUTIC AMOUNTS OR WITHOUT VALID MEDICAL INDICATION;
- (9) PROMOTES THE SALE OF SERVICES, DRUGS, DEVICES, APPLIANCES, OR GOODS TO A PATIENT SO AS TO EXPLOIT THE PATIENT FOR FINANCIAL GAIN;
- (10) WILLFULLY MAKES OR FILES A FALSE REPORT OR RECORD IN THE PRACTICE OF POLYSOMNOGRAPHY;
- (11) WILLFULLY FAILS TO FILE OR RECORD ANY REPORT AS REQUIRED UNDER LAW, WILLFULLY IMPEDES OR OBSTRUCTS THE FILING OR RECORDING OF A REPORT, OR INDUCES ANOTHER TO FAIL TO FILE OR RECORD A REPORT;
- (12) BREACHES PATIENT CONFIDENTIALITY;
- (13) PAYS OR AGREES TO PAY ANY SUM OR PROVIDE ANY FORM OF REMUNERATION OR MATERIAL BENEFIT TO ANY PERSON FOR BRINGING OR REFERRING A PATIENT OR ACCEPTS OR AGREES TO ACCEPT ANY SUM OR ANY FORM OF REMUNERATION OR MATERIAL BENEFIT FROM AN INDIVIDUAL FOR BRINGING OR REFERRING A PATIENT;
- (14) KNOWINGLY MAKES A MISREPRESENTATION WHILE PRACTICING POLYSOMNOGRAPHY;