

(26) REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES AGAINST AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL SERVICES FOR WHICH THE LICENSEE IS LICENSED AND QUALIFIED TO RENDER BECAUSE THE INDIVIDUAL IS HIV POSITIVE; OR

(27) PRACTICES OR ATTEMPTS TO PRACTICE A POLYSOMNOGRAPHY PROCEDURE OR USES OR ATTEMPTS TO USE POLYSOMNOGRAPHY EQUIPMENT IF THE APPLICANT OR LICENSEE HAS NOT RECEIVED EDUCATION AND TRAINING IN THE PERFORMANCE OF THE PROCEDURE OR THE USE OF THE EQUIPMENT.

(B) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY ACTION UNDER SUBSECTION (A) OF THIS SECTION, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD IN ACCORDANCE WITH THE HEARING REQUIREMENTS OF § 14-405 OF THIS TITLE.

(C) (1) ON THE FILING OF CERTIFIED DOCKET ENTRIES WITH THE BOARD BY THE OFFICE OF THE ATTORNEY GENERAL, THE BOARD SHALL ORDER THE SUSPENSION OF A LICENSE IF THE LICENSEE IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE WITH RESPECT TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT ANY APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA SET ASIDE.

(2) AFTER COMPLETION OF THE APPELLATE PROCESS IF THE CONVICTION HAS NOT BEEN REVERSED OR THE PLEA HAS NOT BEEN SET ASIDE WITH RESPECT TO A CRIME INVOLVING MORAL TURPITUDE, THE BOARD SHALL ORDER THE REVOCATION OF A LICENSE ON THE CERTIFICATION BY THE OFFICE OF THE ATTORNEY GENERAL.

14-5C-18.

(A) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (D) OF THIS SECTION, HOSPITALS, RELATED INSTITUTIONS, ALTERNATIVE HEALTH SYSTEMS AS DEFINED IN § 1-401 OF THIS ARTICLE, AND EMPLOYERS SHALL FILE WITH THE BOARD A REPORT THAT THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER LIMITED, REDUCED, OTHERWISE CHANGED, OR TERMINATED ANY LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST FOR ANY REASON THAT MIGHT BE GROUNDS FOR DISCIPLINARY ACTION UNDER § 14-5C-17 OF THIS SUBTITLE.

(B) A HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER THAT HAS REASON TO KNOW THAT A LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST HAS COMMITTED AN ACTION OR HAS A CONDITION THAT MIGHT BE GROUNDS FOR REPRIMAND OR PROBATION OF THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST OR SUSPENSION OR REVOCATION OF THE LICENSE BECAUSE THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST IS ALCOHOL IMPAIRED OR DRUG IMPAIRED IS NOT REQUIRED TO REPORT THE TECHNOLOGIST TO THE BOARD IF: