

filing or recording of the report, or induces another to fail to file or record the report; [or]

[(17)] (15) Submits a false statement to collect a fee[.];

(16) VIOLATES ANY RULE OR REGULATION ADOPTED BY THE BOARD;

(17) USES OR PROMOTES OR CAUSES THE USE OF ANY MISLEADING, DECEIVING, IMPROBABLE OR UNTRUTHFUL ADVERTISING MATTER, PROMOTIONAL LITERATURE, OR TESTIMONIAL;

(18) IS PROFESSIONALLY, PHYSICALLY, OR MENTALLY INCOMPETENT; OR

(19) PROMOTES THE SALE OF DEVICES, APPLIANCES, OR GOODS TO A PATIENT SO AS TO EXPLOIT THE PATIENT FOR FINANCIAL GAIN.

~~{B}--THE BOARD MAY IMPOSE THE MONETARY PENALTY UNDER THIS SECTION SEPARATELY OR IN ADDITION TO A REPRIMAND, PROBATION, SUSPENSION, OR REVOCATION.~~

~~{C}--THE BOARD SHALL ADOPT RULES AND REGULATIONS TO SET STANDARDS FOR THE IMPOSITION OF PENALTIES UNDER THIS SECTION.~~

~~{D}--THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS SECTION INTO THE GENERAL FUND OF THIS STATE.~~

13-316.

(a) Except as otherwise provided in the Administrative Procedure Act, before the Board takes any action under § 13-315 of this subtitle, it shall give the individual against whom the action is contemplated an opportunity for a hearing before the Board.

(b) The Board shall give notice and hold the hearing in accordance with the Administrative Procedure Act.

(c) The individual may be represented at the hearing by counsel.

(D) OVER THE SIGNATURE OF AN OFFICER OR THE EXECUTIVE DIRECTOR OF THE BOARD, THE BOARD MAY ISSUE SUBPOENAS AND ADMINISTER OATHS IN CONNECTION WITH ANY INVESTIGATION UNDER THIS TITLE AND ANY HEARINGS OR PROCEEDINGS BEFORE IT.

(E) IF, WITHOUT LAWFUL EXCUSE, A PERSON DISOBEYS A SUBPOENA FROM THE BOARD OR AN ORDER BY THE BOARD TO TAKE AN OATH OR TO TESTIFY OR ANSWER A QUESTION, THEN, ON PETITION OF THE BOARD, A COURT OF COMPETENT JURISDICTION MAY PUNISH THE PERSON AS FOR CONTEMPT OF COURT.