

(14) Uses or promotes or causes the use of any misleading, deceiving, or untruthful advertising matter, promotional literature, or testimonial; or

(15) Is professionally, physically, or mentally incompetent.

(c) Any person, including a Board employee, may make a written, specific charge of a violation under subsection (a) of this section, if the person:

- (1) Swears to the charge; and
- (2) Files the charge with the Board secretary.

[5.5-313] 11-313.

(a) (1) Except as otherwise provided in the Administrative Procedure Act, before the Board takes any action under § [5.5-312] 11-312 of this subtitle, it shall give the individual against whom this action is contemplated an opportunity for a hearing before the Board.

(2) A hearing shall be held within a reasonable time not to exceed 6 months after charges have been brought.

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

(c) At least 30 days before the hearing, the hearing notice to be given to the individual shall be:

- (1) Served personally on the individual; or
- (2) Sent by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the last known address of the individual.

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

(e) Over the signature of an officer or the administrator 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.

(f) 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.