

VETOES

14.5-312.

Subject to the hearing provisions of § 14.5-313 of this subtitle, the [Commission] BOARD, on the affirmative vote of a majority of its members then serving, may reprimand any certificate holder or suspend or revoke a certificate if the certificate holder:

(1) Fraudulently or deceptively obtains or attempts to obtain a certificate for the applicant or certificate holder or for another individual;

(2) Fraudulently or deceptively uses a certificate;

(3) Violates any provision of this title or any regulations adopted under this title or commits any act which could serve as the basis for disciplinary action against a physician under § 14-504 of this article;

(4) Performs delegated medical acts beyond the scope of the certificate not within a job description approved by the Board; or

(5) Performs delegated medical acts without the supervision of a physician.

14.5-313.

(a) (1) Except as otherwise provided under Title 10, Subtitle 4 of the State Government Article, before the [Commission] BOARD takes any action under § 14.5-312 of this subtitle, the [Commission] BOARD shall give the individual against whom the action is contemplated an opportunity for a hearing before [the Commission] A HEARING OFFICER.

(2) The [Commission] HEARING OFFICER shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

(3) The [Commission] BOARD may administer oaths in connection with any proceeding under this section.

(4) At least 14 days before the hearing, the hearing notice required under this subtitle shall be sent by certified mail to the last known address of the individual.

(b) (1) Any certificate holder who is aggrieved by a final decision of the [Commission] BOARD under this subtitle may not appeal to the Board of Review but may take a direct judicial appeal.