

WILLIAM DONALD SCHAEFER, Governor

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

(25) (i) Except as provided in subparagraph (ii) of this paragraph, divides a fee with another dentist if the division is not in proportion to the services performed and the responsibility assumed by each dentist.

(ii) A dentist may divide a fee with another dentist who is a partner or an associate in the same dental practice if dividing the fee does not increase the fee for the service charged to the patient; OR

(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 OF ~~THE INDIVIDUAL'S MENTAL OR PHYSICAL HANDICAP~~ THE INDIVIDUAL IS HIV POSITIVE.

(b) Subject to the hearing provisions of § 4-317 of this subtitle, the Board may deny a general license to practice dental hygiene, a teacher's license to practice dental hygiene, or a temporary license to practice dental hygiene to any applicant, reprimand any licensed dental hygienist, place any licensed dental hygienist on probation, or suspend or revoke the license of any licensed dental hygienist, if the applicant or licensee:

(13) Willfully makes or files a false report or record in the practice of dental hygiene; [or]

(14) Willfully fails to file or record any report as required by law, willfully impedes or obstructs the filing or recording of the report, or induces another to fail to file or record the report; OR

(15) 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 OF ~~THE INDIVIDUAL'S MENTAL OR PHYSICAL HANDICAP~~ THE INDIVIDUAL IS HIV POSITIVE.

4.5-311.

Subject to the hearing provisions of § 4.5-312 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant, reprimand any licensee, 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 or licensee or for another;