

license or temporary license may not surrender the license nor may the license lapse by operation of law while the licensee is under investigation or while charges are pending against the licensee.

(b) The Board may set conditions on its agreement with the licensee under investigation or against whom charges are pending to accept surrender of the license.

(C) AN INDIVIDUAL WHOSE LICENSE HAS BEEN SUSPENDED OR REVOKED BY THE BOARD SHALL RETURN THE LICENSE TO THE BOARD. IF THE SUSPENDED OR REVOKED LICENSE HAS BEEN LOST, THE INDIVIDUAL SHALL FILE WITH THE BOARD A STATEMENT VERIFYING THAT THE INDIVIDUAL'S LICENSE HAS BEEN LOST.

13-316.

Subject to the hearing provisions of § 13-317 of this subtitle, the Board may deny a license, temporary license, or restricted license to any applicant, reprimand any licensee or holder of a temporary license or restricted license, place any licensee or holder of a temporary license or restricted license on probation, or suspend or revoke a license, temporary license, or restricted license if the applicant, licensee, or holder:

(20) Commits an act of unprofessional conduct in the practice of physical therapy OR LIMITED PHYSICAL THERAPY;

(26) Fails to meet accepted standards in delivering physical therapy OR LIMITED PHYSICAL THERAPY care.

13-317.

(a) Except as otherwise provided in the Administrative Procedure Act, before the Board takes any action under § 13-316 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) (1) THE CHAIRMAN OF THE BOARD MAY DELEGATE AUTHORITY TO CONDUCT A HEARING TO A COMMITTEE CONSISTING OF ~~TWO~~ THREE OR MORE BOARD MEMBERS.

(2) THE COMMITTEE SHALL:

(I) HOLD AN EVIDENTIARY HEARING; AND

(II) PREPARE A RECOMMENDED DECISION FOR CONSIDERATION BY A QUORUM OF THE BOARD, WHICH MAY INCLUDE MEMBERS OF THE COMMITTEE.

(3) THE COMMITTEE SHALL GIVE TO THE INDIVIDUAL WHO IS THE SUBJECT OF THE HEARING NOTICE OF THE OPPORTUNITY TO FILE EXCEPTIONS AND PRESENT ARGUMENT TO THE BOARD REGARDING THE DECISION OF THE COMMITTEE.