

(2) Set forth in writing for each nurse OR NURSING ASSISTANT participating in the program a rehabilitation program established for that nurse OR NURSING ASSISTANT, including the requirements for supervision and surveillance.

(l) The Committee shall inform each nurse OR NURSING ASSISTANT who requests participation in the program of:

- (1) The procedures followed in the program;
- (2) The rights and responsibilities of the nurse OR NURSING ASSISTANT in the program; and
- (3) The possible results of noncompliance with the program.

(m) (1) Each nurse OR NURSING ASSISTANT who requests to participate in the program shall agree to cooperate with the individual rehabilitation program designed by a Committee.

(2) Any failure to comply with the provisions of a rehabilitation program may result in termination of the nurse's OR NURSING ASSISTANT'S participation in the program.

(3) The Committee shall report the name and license number of a nurse OR THE NAME AND CERTIFICATE NUMBER OF A NURSING ASSISTANT who is expelled from the program for failure to comply with the conditions of the program.

(4) (i) The program shall transfer to the Board all the records of any nurse OR NURSING ASSISTANT expelled from the program.

(ii) The Board may initiate disciplinary action based on the failure of the nurse OR NURSING ASSISTANT to comply with the conditions of the program in accordance with the provisions of §§ 8-316 and 8-317 of this title.

(n) After a Committee has determined that a nurse OR NURSING ASSISTANT has been rehabilitated, the Committee shall purge and destroy all records concerning a nurse's OR NURSING ASSISTANT'S participation in the program.

(o) All Board and Committee records of a proceeding concerning the rehabilitation of a nurse OR NURSING ASSISTANT in the program are confidential and are not subject to discovery or subpoena in any civil or criminal action.

(p) The Board shall provide for the representation of any person making reports to a Committee or the Board under this section in any action for defamation directly resulting from reports or information given to a Committee or the Board regarding a nurse's OR NURSING ASSISTANT'S participation in the program.

8-6A-10.

(a) Subject to the hearing provisions of § 8-317 of this title, the Board may deny a certificate to any applicant, reprimand any certificate holder, place any certificate holder on probation, or suspend or revoke the certificate of a certificate holder, if the applicant or certificate holder: