

(c) The unreasonable failure or refusal of the licensed, certified, or registered individual to submit to an examination is prima facie evidence of the licensed, certified, or registered individual's inability to practice medicine or the respective discipline competently, unless the Board finds that the failure or refusal was beyond the control of the licensed, certified, or registered individual.

(d) The Board shall pay the costs of any examination made under this section.

(e) (1) (i) The Board shall assess each applicant for a license to practice medicine or for renewal of a license to practice medicine a fee of not more than \$50 to be set after the submission of a budget for the physician rehabilitation program and peer review activities by the Faculty to the Board.

(ii) The fee is to be used to fund the physician rehabilitation program and peer review activities of the Faculty, as approved by the Secretary.

(iii) The Board shall set a fee under this subsection in accordance with the budget submitted by the Faculty.

(2) The Legislative Auditor shall every 2 years audit the accounts and transactions of the Faculty for the physician rehabilitation program and peer review activities as provided in § 2-1220 of the State Government Article.

~~(F) (1) (I) THE BOARD SHALL ASSESS EACH APPLICANT FOR A LICENSE TO PRACTICE AS A RESPIRATORY CARE PRACTITIONER OR FOR RENEWAL OF A LICENSE TO PRACTICE AS A RESPIRATORY CARE PRACTITIONER A FEE SET BY THE BOARD AFTER THE SUBMISSION OF A BUDGET FOR THE RESPIRATORY CARE PRACTITIONER REHABILITATION PROGRAM BY THE FACULTY TO THE BOARD.~~

~~(II) THE FEE IS TO BE USED TO FUND THE RESPIRATORY CARE PRACTITIONER REHABILITATION PROGRAM ACTIVITIES OF THE FACULTY, AS APPROVED BY THE SECRETARY.~~

~~(III) THE BOARD SHALL SET A FEE UNDER THIS SUBSECTION IN ACCORDANCE WITH THE BUDGET SUBMITTED BY THE FACULTY.~~

~~(2) THE LEGISLATIVE AUDITOR SHALL EVERY 2 YEARS AUDIT THE ACCOUNTS AND TRANSACTIONS OF THE FACULTY FOR THE RESPIRATORY CARE PRACTITIONER REHABILITATION PROGRAM AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.~~

14-405.

(a) Except as otherwise provided in the Administrative Procedure Act, before the Board takes any action under § 14-404(a) of this subtitle or § 14-5A-17(A) of this title, it shall give the individual against whom the action is contemplated an opportunity for a hearing before a hearing officer.

14-5A-17.

(a) Subject to the hearing provisions of § 14-405 of this title, the Board may deny a license or temporary license to any applicant, reprimand any licensee or holder