

(13) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the person is licensed and qualified to render because the individual is HIV positive;

(14) Fails to display the notice required under § 1A-313 of this subtitle;  
[or]

(15) Fails to cooperate with a lawful investigation conducted by the Board;

(16) COMMITS ANY ACT OF GROSS NEGLIGENCE, INCOMPETENCE, OR MISCONDUCT IN THE PRACTICE OF ACUPUNCTURE;

(17) ENGAGES IN A COURSE OF CONDUCT THAT IS INCONSISTENT WITH GENERALLY ACCEPTED PROFESSIONAL STANDARDS IN THE PRACTICE OF ACUPUNCTURE; OR

(18) FAILS TO COMPLY WITH ANY BOARD ORDER.

1A-310.

(a) Except as provided in the Administrative Procedure Act, before the Board takes any action under § 1A-309 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 BOARD CHAIRMAN MAY DELEGATE THE AUTHORITY TO CONDUCT A HEARING TO A COMMITTEE CONSISTING OF 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 EACH PARTY THAT IS THE SUBJECT OF THE HEARING NOTICE OF THE OPPORTUNITY TO FILE EXCEPTIONS AND PRESENT ARGUMENTS TO THE BOARD REGARDING THE DECISION OF THE COMMITTEE.~~

~~(d)~~(E) Over the signature of an officer or the administrator of the Board, the Board may issue subpoenas and administer oaths in connection with any investigation under this title and any hearings or proceedings before it.

~~(e)~~(F) If, after due notice, the individual against whom the action is contemplated fails or refuses to appear, the Board may hear and determine the matter.