

(16) Violates any PROVISION OF THIS TITLE OR rule or regulation adopted by the Board;

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

(18) Is professionally, physically, or mentally incompetent;

(19) Promotes the sale of devices, appliances, or goods to a patient so as to exploit the patient for financial gain;

(20) Commits an act of unprofessional conduct in the practice of physical therapy;

(21) Grossly over utilizes health care services;

(22) Is convicted under insurance fraud as defined in § 27-801 of the Insurance Article; [or]

(23) 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 the individual is HIV positive[.];

(24) PROVIDES PROFESSIONAL SERVICES WHILE:

(I) UNDER THE INFLUENCE OF ALCOHOL; OR

(II) USING ANY NARCOTIC OR CONTROLLED DANGEROUS SUBSTANCE, AS DEFINED IN ARTICLE 27 OF THE CODE, OR OTHER DRUG THAT IS IN EXCESS OF THERAPEUTIC AMOUNTS OR WITHOUT VALID MEDICAL INDICATION;

(25) WILLFULLY AND WITHOUT LEGAL JUSTIFICATION, FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION CONDUCTED BY THE BOARD; OR

(26) FAILS TO MEET ACCEPTED STANDARDS IN DELIVERING PHYSICAL THERAPY CARE.

13-316.1.

(A) IF IN INVESTIGATING AN ALLEGATION BROUGHT AGAINST A LICENSEE UNDER THIS TITLE, THERE IS GOOD CAUSE TO BELIEVE THAT THE PHYSICAL OR MENTAL CONDITION OF THE LICENSEE MAY ADVERSELY AFFECT THE ABILITY OF THE LICENSEE TO PRACTICE PHYSICAL THERAPY OR LIMITED PHYSICAL THERAPY, THE BOARD MAY REQUIRE THE LICENSEE TO SUBMIT TO APPROPRIATE MEDICAL OR PSYCHOLOGICAL EXAMINATION, TESTING, OR EVALUATION BY A HEALTH CARE PROVIDER DESIGNATED BY THE BOARD.

(B) IN RETURN FOR THE PRIVILEGE TO PRACTICE PHYSICAL THERAPY OR LIMITED PHYSICAL THERAPY, A LICENSEE IS DEEMED TO:

(1) CONSENT TO BE EXAMINED, TESTED, OR EVALUATED PURSUANT TO THIS SECTION; AND