

(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

(2) WAIVE OBJECTION TO THE RECEIPT OF AND CONSIDERATION BY THE BOARD OF THE RESULTS OF ANY EXAMINATIONS, TESTS, OR EVALUATIONS CONDUCTED BY, AND THE REPORTS AND TESTIMONY OF, THE EXAMINING HEALTH CARE PROVIDER.

(C) THE FAILURE OR REFUSAL OF THE LICENSEE TO SUBMIT TO AN EXAMINATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION MAY BE CONSIDERED AS EVIDENCE OF THE INABILITY OF THE LICENSEE TO PRACTICE COMPETENTLY, UNLESS THE BOARD FINDS THAT THE FAILURE OR REFUSAL WAS BEYOND THE CONTROL OF THE LICENSEE.

(D) THE BOARD SHALL PAY THE COST OF ALL EXAMINATIONS, TESTS, AND EVALUATIONS PERFORMED PURSUANT TO THIS SECTION.

13-318.1.

(A) AN ACTION MAY BE MAINTAINED IN THE NAME OF THIS STATE OR THE BOARD TO ENJOIN:

(1) THE UNAUTHORIZED PRACTICE OF PHYSICAL THERAPY; OR

(2) CONDUCT THAT IS GROUND FOR DISCIPLINARY ACTION UNDER § 13-316 OF THIS TITLE.

(B) AN ACTION UNDER THIS SECTION MAY BE BROUGHT BY:

(1) THE BOARD IN ITS OWN NAME;

(2) THE ATTORNEY GENERAL, IN THE NAME OF THE STATE; OR

(3) A STATE'S ATTORNEY, IN THE NAME OF THE STATE.