

(2) Has graduated from a respiratory care educational program that is accredited by the Council on Accreditation of Allied Health Education Programs and has applied for the first available national certifying examination.

(b) A temporary license issued to a respiratory care practitioner authorizes the holder to practice respiratory care only in association with a licensed respiratory care practitioner.

(c) A temporary license expires 45 days after the date when the results of the first examination that the holder was eligible to take are made public.

(d) The Board may not issue more than two temporary licenses to an individual.]

14-5A-16.

Unless the Board agrees to accept the surrender of a license, a licensed respiratory care practitioner [or holder of a temporary license] may not surrender the license nor may the license lapse by operation of law while the licensee is under investigation or while charges are pending against the licensee.

14-5A-17.

(a) Subject to the hearing provisions of § 14-405 of this title, the Board, **ON THE AFFIRMATIVE VOTE OF A MAJORITY OF A QUORUM**, may deny a license [or temporary license] to any applicant, reprimand any licensee [or holder of a temporary license], place any licensee [or holder of a temporary license] on probation, or suspend or revoke a license [or temporary license] if the [applicant, licensee, or holder] **APPLICANT OR LICENSEE:**

(1) Fraudulently or deceptively obtains or attempts to obtain a license [or temporary license] for the applicant, licensee, [or holder] or for another;

(2) Fraudulently or deceptively uses a license [or temporary license];

(3) Is guilty of unprofessional or immoral conduct in the practice of respiratory care;

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

(5) Abandons a patient;

(6) Is habitually intoxicated;