

Article - Health Occupations

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§11–320.

- (a) This section does not apply to:
 - (1) An individual licensed under Title 14, Subtitle 3 of this article; or
 - (2) An individual supervised by an individual licensed under Title 14, Subtitle 3 of this article.
- (b) The Board may issue a cease and desist order or obtain injunctive relief for a violation of any provision of § 11–313 of this subtitle or § 11–501, § 11–502, or § 11–504 of this title.
- (c) (1) An action may be maintained in the name of the State or the Board to enjoin:
 - (i) The unauthorized practice of optometry;
 - (ii) The misrepresentation of the practice of optometry;
 - (iii) The act of knowingly dispensing contact lenses or replacement contact lenses without a valid and unexpired prescription or a replacement contact lens prescription; or
 - (iv) Conduct that is grounds for disciplinary action under § 11–313 of this subtitle.
- (2) An action under this subsection may be brought by:
 - (i) The Board, in its own name;
 - (ii) The Attorney General, in the name of the State; or
 - (iii) A State’s Attorney, in the name of the State.
- (3) An action under this subsection shall be brought in the county where the defendant:
 - (i) Resides; or
 - (ii) Engages in the act sought to be enjoined.
- (4) Proof of actual damage or that any person will sustain any damage if an injunction is not granted is not required for an action under this subsection.
- (5) An action under this subsection is in addition to and not instead of

criminal prosecution for disciplinary action under § 11-313 of this subtitle or the unauthorized practice of optometry under §§ 11-501, 11-502, and 11-504 of this title.

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