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§12–6B–09.

Subject to the hearing provision of § 12–315 of this title, the Board may deny a pharmacy technician's registration to any applicant, reprimand a registered pharmacy technician, place any pharmacy technician's registration on probation, or suspend or revoke a pharmacy technician's registration if the applicant or pharmacy technician registrant:

(1) Performs an act that is restricted to a licensed pharmacist;

(2) Fraudulently or deceptively obtains or attempts to obtain a pharmacy technician's registration for the applicant or assists or attempts to assist another in fraudulently or deceptively obtaining a pharmacy technician's registration;

(3) Fraudulently uses a pharmacy technician's registration;

(4) Knowingly aids an unauthorized individual to practice pharmacy or to represent that the individual is a licensed pharmacist or registered pharmacy technician;

(5) Performs delegated pharmacy acts while:

(i) Under the influence of alcohol; or

(ii) Using any narcotic or controlled dangerous substance, as defined in § 5–101 of the Criminal Law Article, or other drug that is in excess of therapeutic amounts or without valid medical indication;

(6) Submits a false statement to collect a fee;

(7) Willfully makes or files a false report or record as part of the registered pharmacy technician's duties or employment;

(8) Willfully fails to file or record any report that is required by law;

(9) Willfully impedes or obstructs the filing or recording of any report that is required by law;

(10) Willfully induces another to fail to file or record any report that is required by law;

(11) Provides or causes to be provided to any authorized prescriber prescription forms that bear the name, address, or other means of identification of a pharmacist or pharmacy;

(12) Provides remuneration to an authorized prescriber for referring an individual to a licensed pharmacist, registered pharmacy technician, or pharmacy for a product or service to be provided by that licensed pharmacist, registered pharmacy technician, or pharmacy;

(13) Agrees with an authorized prescriber or pharmacist to prepare or dispense a secret formula prescription;

(14) Except as to an association that has remained in continuous existence since July 1, 1963, associates as a partner, co–owner, or employee of a pharmacy that is owned wholly or substantially by an authorized prescriber or group of authorized prescribers;

(15) Knowingly aids a pharmacist in dispensing any drug, device, or diagnostic for which a prescription is required without a written, oral, or electronically transmitted prescription from an authorized prescriber;

(16) Unless an authorized prescriber authorizes the refill, refills a prescription for any drug, device, or diagnostic for which a prescription is required;

(17) Violates any labeling requirements in this title;

(18) Violates any provision of § 12–603 of this title, which concerns the home dialysis distribution program;

(19) Advertises or otherwise publicly claims to dispense prescriptions in a superior manner;

(20) Advertises in a manner that tends to deceive or defraud the public;

(21) Is physically or mentally incompetent;

(22) Pleaded guilty or nolo contendere to, or has been found guilty of, a felony or a crime involving moral turpitude, regardless of whether:

(i) An adjudication of guilt or sentencing or imposition of sentence is withheld; or

(ii) Any appeal or other proceeding is pending regarding the matter;

(23) Violates any provision of this title;

(24) Is disciplined by a licensing, registering, or disciplinary authority of any state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

(25) Violates any regulation adopted by the Board;

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

(27) Participates in any activity that is grounds for Board action under § 12–313 or § 12–409 of this title;

(28) Provides or causes to be provided confidential patient information to any person without first having obtained the patient's consent, as required by § 12–403(c)(13) of this title and by Title 4, Subtitle 3 of the Health – General Article;

(29) Fails to cooperate with a lawful investigation conducted by the Board or the Division of Drug Control;

(30) Performs delegated pharmacy acts in an incompetent manner; or

(31) Performs delegated pharmacy acts that are inappropriate based on the registered pharmacy technician's education, training, and experience.

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