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§12–313.

(a) In this section, "convicted" includes a determination of guilt, a guilty plea, or a plea of nolo contendere followed by a sentence.

(b) Subject to the hearing provisions of § 12–315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant for a pharmacist's license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the applicant or licensee:

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

(2) Fraudulently or deceptively uses a license;

(3) Aids an unauthorized individual to practice pharmacy or to represent that the individual is a pharmacist, a registered pharmacy intern, or a registered pharmacy technician;

(4) Delegates pharmacy acts to an unauthorized individual;

(5) Provides professional services 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 practicing pharmacy;

(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 pharmacist or pharmacy for a product or service to be provided by that pharmacist or pharmacy;

(13) Agrees with an authorized prescriber, a registered pharmacy intern, or registered pharmacy technician 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, coowner, or employee of a pharmacy that is owned wholly or substantially by an authorized prescriber or group of authorized prescribers;

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

(16) Except as provided in § 12–506 of this title, 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 provision of § 12–505 of this title, which concerns the labeling requirements for prescriptions for drugs, devices, or diagnostics;

(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 or practice pharmacy in a superior manner;

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

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

(22) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

(23) Is convicted of a violation of this title;

(24) Is disciplined by a licensing 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 rule or 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 licensee is licensed and qualified to render because the individual is HIV positive;

(27) Violates any provision of § 12–507 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 Office of Controlled Substances Administration;

(30) Delegates pharmacy acts to a registered pharmacy technician, pharmacy student, or a pharmacy technician trainee outside the scope of education, training, experience, and area of practice of a licensed pharmacist;

(31) Delegates pharmacy acts that are inappropriate for a registered pharmacy technician, pharmacy student, or pharmacy technician trainee who does not have the education, training, or experience to perform the delegated pharmacy acts;

(32) Fails to dispense or dispose of prescription drugs or medical supplies in accordance with Title 15, Subtitle 6 of the Health – General Article; or

(33) Fails to appropriately supervise a registered pharmacy intern.

(c) (1) The Board shall revoke the license of a licensee who is convicted under § 5–702 of the Criminal Law Article.

(2) The Board may reinstate the license of a person whose license has been revoked under this section in accordance with the regulations adopted by the Board.

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