

10.32[.20] .22 [~~Licensure of~~] Perfusionists

.01 Scope.

A. This chapter governs the practice of perfusion.

B. Except as provided in §C or D of this regulation, [~~on or after October 1, 2013;~~] an individual shall be licensed by the Board before the individual may practice perfusion.

C. This chapter does not prohibit any student who is currently enrolled in an accredited educational program to qualify for a license as a perfusionist from performing any of the procedures described in this chapter as part of that program's clinical curriculum on perfusion.

D. This chapter does not prohibit an individual from practicing a health occupation that the individual is authorized to practice under Health Occupations Article, Annotated Code of Maryland.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Accredited educational program" means a program accredited by The Commission on Accreditation of Allied Health Education Programs (CAAHEP), or its successor accrediting agency.

(2) "Board" has the meaning stated in Health Occupations, §14-101, Annotated Code of Maryland [~~means the State Board of Physicians.~~]

(3) "Certified clinical perfusionist" means an individual holding a certificate issued by the national certifying board.

(4) "Certification" means recognition of an individual who has satisfied certain standards required by the national certifying board.

(5) “Committee” means the Perfusion Advisory Committee *of the Board*. ~~[established under Health Occupations Article, §14-5E-05, Annotated Code of Maryland.]~~

(6) “Conversion” means changing a license from ~~[licensed]~~ perfusionist-basic to ~~[licensed]~~ perfusionist-advanced.

~~[(7) “Disciplinary panel” means a panel established under Health Occupations Article, §14-401, Annotated Code of Maryland, which:~~

~~(a) Is composed of 11 Board members; and~~

~~(b) Addresses:~~

~~(i) Complaints and disciplinary actions against licensed physicians, and allied health professionals, and registrants;~~

~~(ii) Initial licensure decisions; and~~

~~(iii) Postdisciplinary licensure reinstatements.]~~

(7) “Good standing” means the health care practitioner is not suspended, on probation, under restrictions, or subject to any pending disciplinary proceedings.

(8) “Immediately available supervision ~~[direction]~~” to provide necessary direction in person, by telephone, or by other electronic means. ~~[means the responsibility of a licensed physician to provide necessary direction for a licensed perfusionist in person, by telephone, or by other electronic means.]~~

(9) “Joint Commission” means the organization formerly known as the Joint Commission on the Accreditation of Health Care Organizations.

~~[(10) “License” means a license issued by the Board to practice perfusion.]~~

(11) “[Licensed] [p]Perfusionist” means an individual ~~[perfusionist]~~ who is licensed by the Board ~~[, in accordance with Health Occupations Article, Title 14, Subtitle 5E, Annotated Code of Maryland,]~~ to practice perfusion as a:

(a) ~~[Licensed]~~ [p]Perfusionist-advanced; or

(b) ~~[Licensed]~~ [p]Perfusionist-basic.

(12) “[Licensed] [p]Perfusionist-advanced” means an individual who is licensed by the Board as a perfusionist based on current certification as a certified clinical perfusionist.

(13) “[Licensed] [p]Perfusionist-basic” means an individual who:

(a) Is licensed by the Board as a perfusionist for a limited time based on graduation from an accredited perfusion educational program; and

(b) Has not yet passed the national certifying examinations given by the national certifying board.

(14) “[~~Licensed~~] [p]Physician” means [~~a physician licensed by the Board.~~] *an individual licensed to practice medicine in Maryland under Health Occupations Article, Title 14, Annotated Code of Maryland.*

(15) “National Certifying Board” means the American Board of Cardiovascular Perfusion, *its predecessor*; or its successor.

(16) “National certifying examinations” means the two examinations given by the national certifying board.

~~[(17) “On-site direction” means the responsibility of a licensed physician to provide necessary direction for a licensed perfusionist when the physician is:~~

~~(a) Physically present in the procedure room or in the facility; and~~

~~(b) Able to respond if the perfusionist needs assistance during a procedure.]~~

~~[(18)] (17) Practice Perfusion.~~

(a) “Practice perfusion” means to perform the functions necessary for the support, treatment, measurement, or supplementation of the cardiovascular, circulatory, or respiratory systems, or other organs to ensure the safe management of physiologic functions by monitoring and analyzing the parameters of the systems under an order and the supervision of a [~~licensed~~] physician.

(b) “Practice perfusion” includes:

(i) Cardiopulmonary bypass for adult, pediatric, and neonatal patients;

(ii) Extracorporeal circulatory support for renal, neurological, hepatic, and vascular surgery;

(iii) Extracorporeal resuscitation;

(iv) Extracorporeal circulation for long-term support of failing respiratory or cardiac function;

(v) Extracorporeal membrane oxygenation;

(vi) Extracorporeal carbon dioxide removal;

(vii) Myocardial protection;

- (viii) Perfusion-assisted direct coronary artery bypass;
- (ix) Hemofiltration and hemodialysis;
- (x) Anticoagulation and hemostasis monitoring, analysis, and intervention;
- (xi) Thermal regulation;
- (xii) Blood gas and blood chemistry monitoring, analysis, and intervention;
- (xiii) Physiological monitoring, analysis, and intervention;
- (xiv) Administration of blood components and pharmaceuticals;
- (xv) Administration of anesthetic agents through a heart lung machine at the direction of an anesthesiologist;
- (xvi) Ventricular assist device and mechanical circulatory support management;
- (xvii) Intra-aortic balloon counterpulsation;
- (xviii) Temporary pacemaker management;
- (xix) Periodic flow augmentation therapy;
- (xx) Autotransfusion;
- (xxi) Platelet gel production, autologous hemocyte tissue matrix production;
- (xxii) Nondifferentiated progenitor cell harvest bone marrow aspirate concentration;
- (xxiii) Acute normovolemic hemodilution;
- (xxiv) Isolated limb or organ delivery of chemotherapeutics, progenitor cells, gene therapy vectors, and other items;
- (xxv) Organ procurement and preservation;
- (xxvi) Thermogenic lavage;
- (xxvii) Electrophysiological analysis;
- (xxviii) Therapeutic hyperthermia;

(xxix) Intravascular membrane oxygenation; and

(xxx) Renal perfusion.

~~[(19)] (18) “Student” means an individual who, in accordance with Health Occupations Article, §14-5E-09(e), Annotated Code of Maryland,] is:~~

~~(a) Enrolled in an accredited educational program [to qualify for a license]; and~~

~~(b) Performing [perfusion services] procedures within the accredited educational program [under the supervision of a licensed perfusionist and] without compensation.~~

~~[(19) “Supervision” means the responsibility of a licensed physician to exercise on-site direction or immediately available direction for a licensed perfusionist to ensure the safety and welfare of patients during the course of perfusion.]~~

.03 Perfusion Advisory Committee.

A. The Board shall appoint members of the *Perfusion Advisory Committee* as follows:

(1) Three individuals who are ~~[licensed]~~ perfusionists-advanced ~~[and who:~~

~~(a) Are certified by a National Certifying Board; and~~

~~(b) Have a minimum of 2 years of perfusion experience.]; and~~

(2) Three physicians, at least one of whom:

(a) Performs cardiac or cardio-thoracic surgery; or

(b) Is a cardiac or cardio-thoracic anesthesiologist; and

(3) One consumer member who *meets the requirements in Health Occupations Article, §14-5E-06(c), Annotated Code of Maryland.*

~~[(a) Shall be a member of the general public; and~~

~~(b) May not be or ever have been:~~

~~(i) Practice, or ever have practiced perfusion, or any other health care profession;~~

- ~~(ii) Be, or ever have been, in training to practice perfusion or any other health care profession;~~
- ~~(iii) Have a household member who is a health care professional or is in training to be a health care professional;~~
- ~~(i) A perfusionist;~~
- ~~(ii) Any other health professional; or~~
- ~~(iii) In training to be a perfusionist or other health professional; and~~
- ~~(iv) Participate, or ever have participated, in a commercial or professional field related to perfusion;~~
- ~~(v) Have a household member who participates in a commercial or professional field related to perfusion;~~
- ~~(vi) Have had, within 2 years before appointment, a financial interest in a person regulated by the Board; or~~
- ~~(vii) Have had, within 2 years of appointment, a financial interest in the provision of goods or services to perfusionists or to the field of perfusion.]~~

B. Each member of the Committee shall:

- (1) Be a resident of the State; and*
- (2) Be in good standing with the Board if licensed by the Board.*

C. Tenure.

- (1) The term of a member is 3 years.*
- (2) The terms of the members are staggered.*
- (3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.*
- (4) An individual may be reappointed for a second 3-year term, but the individual may not serve more than two consecutive 3-year terms.*
- ~~*(5) The terms of the initial members of the Perfusion Advisory Committee shall expire as follows:*~~
 - ~~*(a) Two members in 2013;*~~
 - ~~*(b) Two members in 2014; and*~~

~~(e) Three members in 2015.]~~

D. Vacancy.

(1) If a vacancy occurs, the Board shall appoint a new member to serve *on the Committee*.

(2) The successor member shall only serve for the remainder of the term[;] unless reappointed.

E. Removal. The Board, by a majority, may vote to remove any member of the Committee for:

(1) Neglect of duty, including but not limited to:

(a) Failure to attend two successive committee meetings without adequate reason;

(b) Failure to attend Board-mandated training; or

(c) Failure to complete necessary ethics filing requirements;

(2) Misconduct; or

(3) Incompetency.

[B] *F. Chair.*

(1) *From among its members, [F]the Committee shall elect a chair every 2 years. [from among its members.]*

(2) ~~[The chair shall serve for 2 years.]~~ *The Chair, or Chair's designee, shall serve in an advisory capacity to the Board as a representative to the Committee.*

[E] *G. Quorum.*

(1) ~~[A majority of the members then serving on the Committee is a quorum.]~~ *A quorum of the Committee consists of four members.*

(2) Business may not be conducted at a Committee meeting unless there is a quorum.

[E] *H. The Committee [may] shall:*

(1) ~~[d]Develop and recommend to the Board [make recommendations to the Board in any matters related to regulating the practice of perfusion in the State.] :~~

(a) Regulations to carry out Health Occupations, § 14-5E, Annotated Code of Maryland;

(b) Any statutory changes that affect the profession; and

(2) Keep a record of its meetings.

~~[F. The Board shall:~~

~~(1) Consider all recommendations of the Committee; and~~

~~(2) Provide the Committee with an annual report on disciplinary matters involving licensees.]~~

I. The Committee may:

(1) Provide recommendations regarding the practice of perfusion; and

(2) Advise the Board on any other matters related to perfusionists.

J. A Committee member shall meet any other requirements as established in Health Occupations, §14-5E-06, Annotated Code of Maryland.

~~[.04 Code of Ethics.~~

~~A. The ethical responsibilities of a licensed perfusionist include, but are not limited to, compliance with the principles set forth in §B of this regulation.~~

~~B. A licensed perfusionist:~~

~~(1) Shall:~~

~~(a) Practice medically acceptable methods of treatment and may not endeavor to practice beyond the competence and the authority vested in the perfusionist by the physician;~~

~~(b) Report:~~

~~(i) Known illegal, unethical, or incompetent conduct; or~~

~~(ii) In good faith, suspected illegal, unethical, or incompetent conduct;~~

~~(c) Respect the patient's rights and dignity;~~

~~(d) Maintain patient confidentiality and protect privileged information;~~

~~(e) Place the patient's best interest ahead of all else;~~

~~(f) Guard against conflicts of interest including avoiding those involving financial or personal gain;~~

~~(g) Uphold the dignity and honor of the profession and abide by its ethical principles; and~~

~~(h) Be familiar with existing state and federal laws governing the practice of perfusion and comply with those laws; and~~

~~(2) May not:~~

~~(a) Delegate any perfusion duty to an individual not having the appropriate training and skill to undertake such responsibility;~~

~~(b) Falsify documentation on patient records; and~~

~~(c) Falsify reports submitted to the Board.~~

~~C. All services shall be provided with respect for the dignity of the patient, unrestricted by considerations of:~~

~~(1) Social or economic status;~~

~~(2) Personal attributes; or~~

~~(3) The nature of health problems.~~

~~D. A breach of ethical principles may be considered immoral or unprofessional conduct in the practice of perfusion.]~~

[.05] .04 [Standards of Care] American Society of Extracorporeal Technology Guidelines.

A. In evaluating the standards of care for the practice of a [licensed] perfusionist, the Board may consider, but is not limited to, the guidelines published by the American Society of Extracorporeal Technology (AmSECT).

B. If a particular practice issue has not yet been addressed in the AmSECT guidelines, the Board may consult with *the Perfusion Advisory Committee* [a licensed perfusionist-advanced].

~~[.06]~~ .05 Qualifications for *Initial* Licensure ~~[as a]~~ - Perfusionists-*Basic*.

A. ~~[The Board shall license an individual if the individual meets the requirements of §B and §C of this regulation.]~~ *To qualify for a license, a perfusionist shall meet the requirements of 10.32.01 of this subtitle and § B of this regulation.*

~~[B. An individual applying for a license shall:~~

- ~~(1) Complete an application on a form supplied by the Board;~~
- ~~(2) Pay the required application fee set by the Board in Regulation .13 of this chapter;~~
- ~~(3) Be 18 years old or older;~~
- ~~(4) Be of good moral character;~~
- ~~(5) Demonstrate spoken and written competency in English by any of the following:~~
 - ~~(a) Documentation of graduation from a recognized English-speaking high school or undergraduate school after at least 3 years of enrollment;~~
 - ~~(b) Documentation of graduation from a recognized English-speaking professional school; or~~
 - ~~(c) Documentation of receiving a grade of at least:
 - ~~(i) 26 on the “Speaking Section” of the Internet-based Test of English as a Foreign Language; and~~
 - ~~(ii) 79 on the total score of the Internet-based Test of English as a Foreign Language;~~~~
- ~~(6) If applicable, provide documentation of licensure, certification, or registration from all states and jurisdictions where the applicant has ever held a license, certificate, or registration in any health profession;~~
- ~~(7) Have no history of public disciplinary action taken, or pending, against any license currently or previously held or expired;~~
- ~~(8) Complete a criminal history records check in accordance with Health Occupations Article, §14-308.1, Annotated Code of Maryland.]~~

~~[E] B. An applicant for a license as a *perfusionist-basic* shall submit satisfactory evidence of:~~

(1) ~~[A perfusionist-basic shall submit satisfactory evidence of]~~ [g] Graduation from a perfusion educational program that is accredited by the Commission on Accreditation of the Allied Health Education Program, or the Commission's predecessor or successor. [;

~~(2) A perfusionist-advanced shall submit satisfactory evidence of current national certification from the National Certifying Board.]~~

.06 Qualifications for Initial Licensure - Perfusionists-Advanced.

A. To qualify for a license, a perfusionist-advanced shall meet the requirements of 10.32.01 of this subtitle and §B of this regulation.

B. An applicant for a license as a perfusionist-advanced shall submit satisfactory evidence of:

(1) Graduation from a perfusion educational program that is accredited by the Commission on Accreditation of the Allied Health Education Program, or the Commission's predecessor or successor; and

(2) Current national certification from the National Certifying Board.

.07 Scope of Practice.

A. A [licensed] perfusionist may practice only under the *immediately available* supervision of a [licensed] physician.

B. The scope of practice of a [licensed] perfusionist is performance of the functions necessary for the support, treatment, measurement, or supplementation of the cardiovascular, circulatory, or respiratory systems, or other organs, to ensure the safe management of physiologic functions by monitoring and analyzing the parameters of the systems.

C. The scope of practice of a [licensed] perfusionist includes the following special procedures, performed on the order of and under the *immediately available* supervision of a [licensed] physician:

(1) Cardiopulmonary bypass for adult, pediatric, and neonatal patients;

(2) Extracorporeal circulatory support for renal, neurological, hepatic, and vascular surgery;

- (3) Extracorporeal resuscitation;
- (4) Extracorporeal circulation for long-term support of failing respiratory or cardiac function;
- (5) Extracorporeal membrane oxygenation;
- (6) Extracorporeal carbon dioxide removal;
- (7) Myocardial protection;
- (8) Perfusion-assisted direct coronary artery bypass;
- (9) Hemofiltration and hemodialysis;
- (10) Anticoagulation and hemostasis monitoring, analysis, and intervention;
- (11) Thermal regulation;
- (12) Blood gas and blood chemistry monitoring, analysis, and intervention;
- (13) Physiological monitoring, analysis, and intervention;
- (14) Administration of blood components and pharmaceuticals;
- (15) Administration of anesthetic agents through a heart lung machine at the direction of an anesthesiologist;
- (16) Ventricular assist device and mechanical circulatory support management;
- (17) Intra-aortic balloon counterpulsation;
- (18) Temporary pacemaker management;
- (19) Periodic flow augmentation therapy;
- (20) Autotransfusion;
- (21) Platelet gel production, autologous hemocyte tissue matrix production;
- (22) Nondifferentiated progenitor cell harvest bone marrow aspirate concentration;
- (23) Acute normovolemic hemodilution;
- (24) Isolated limb or organ delivery of chemotherapeutics, progenitor cells, gene therapy vectors, and other items;

- (25) Organ procurement and preservation;
- (26) Thermogenic lavage;
- (27) Electrophysiological analysis;
- (28) Therapeutic hyperthermia;
- (29) Intravascular membrane oxygenation; and
- (30) Renal perfusion.

~~[.08 Identification; Notice.~~

~~A. A licensed perfusionist shall wear an identification tag or a badge which identifies that individual as a licensed perfusionist.~~

~~B. License:~~

~~(1) A licensed perfusionist shall:~~

~~(a) Keep a copy of the licensee's license in their employment file; and~~

~~(b) Make the license available for inspection upon request.~~

~~(2) If the perfusionist has multiple places of employment, copies of the license may be kept in accordance with §B(1) of this regulation.~~

~~C. Change of Name or Address:~~

~~(1) A licensed perfusionist shall notify the Board in writing of any changes in name or mailing address within 60 days.~~

~~(2) The Board may impose a fine of \$100 for failure to notify the Board of a change in name or mailing address.]~~

~~[-09]~~ .08 Terms of Perfusionist-Basic License.

A. Term and Expiration.

- (1) A perfusionist-basic license shall expire 2 years after it is issued.
- (2) Except as provided in §§D and E of this regulation, a perfusionist-basic license may not be renewed or extended beyond the 2-year expiration date.
- (3) An individual who previously held a perfusionist-basic license may not be granted a new perfusionist-basic license.
- (4) Upon expiration of the perfusionist-basic license, an individual who does not meet the requirements for a perfusionist-advanced license is ineligible for licensure and may not practice perfusion in this State.

B. Conversion.

- (1) The holder of a perfusionist-basic license shall convert the license to a perfusionist-advanced license at any time before the expiration after meeting the requirements outlined in *10.32.01 of this subtitle and Regulation .06B[~~(2)~~]* of this chapter.
- (2) The individual shall ensure that the national certifying board submits evidence, satisfactory to the Board, that the individual meets the requirements of *10.32.01 of this subtitle and Regulation .06B[~~(2)~~]* of this chapter.
- (3) If the Board receives the notification specified in §B(2) of this regulation, the Board shall issue a perfusionist-advanced license to the individual at no additional charge.
- (4) If the holder of the perfusionist-basic license fails to convert the license to a perfusionist-advanced license before the expiration date, the individual shall file a new application for a perfusionist-advanced license.

C. Conversion-or-Expiration Notice. At least 1 month before the expiration of the perfusionist-basic license, the Board shall send notice to the ~~[licensed]~~ perfusionist-basic that states:

- (1) The date on which the current perfusionist-basic license expires;
- (2) The date by which notification of meeting requirements outlined in *10.32.01 of this subtitle and Regulation .06B[~~(2)~~]* of this chapter shall be received in order to convert to a perfusionist-advanced license before the perfusionist-basic license expires; and
- (3) Notice that upon expiration of the perfusionist-basic license, if the holder does not qualify for a perfusionist-advanced license, the holder is no longer permitted to practice perfusion in this State.

D. The Board may permit a perfusionist with a basic license to continue to practice on that license if extenuating circumstances prevented the applicant for an advanced license from taking the national certifying examination given by the American Board of Cardiovascular Perfusion. The applicant shall specify the:

- (1) Extenuating circumstances; and
- (2) Basis for granting the request.

E. Petition for Extension.

(1) At the discretion of the Board, a petition for extension of a perfusionist-basic license expiration date may be considered if:

(a) The *perfusionist-basic* [licensee]:

(i) Incurs a hardship that prevents the *perfusionist-basic* [licensee] from active use of the perfusionist-basic license for a period of at least 45 consecutive calendar days;

(ii) Provides a written request, with supporting documentation if applicable, stating the extenuating circumstances that will prohibit or has prohibited the *perfusionist-basic* [licensee] from active use of the perfusionist-basic license for at least 45 consecutive calendar days; and

(iii) Provides an anticipated date for resuming activity on the perfusionist-basic license; and

(b) The national certifying examination has been administered during no more than three testing windows from the time the application for the perfusionist basic license was approved.

(2) A perfusionist with a basic license may not practice during the paused time frame. ~~[Practicing or attempting to practice without an active license is in violation of Regulation .15 of this chapter and is punishable under that regulation.]~~

(3) The Board may grant a one-time extension of the perfusionist-basic license expiration date but the extension may not exceed the time period that the perfusionist with the basic license did not have active use of the license.

(4) The Board may grant an extension if the Board determines that failure to fulfill the license requirements is clearly the result of:

(a) Functional impairment;

(b) Prolonged and serious illness;

- (c) Mandatory military service or deployment;
 - (d) A prolonged absence from the United States;
 - (e) An officially declared disaster; or
 - (f) Other exceptional circumstances beyond the control of the applicant.
- (5) Failing the national certification examination is not grounds for obtaining an extension.

~~[.10]~~ .09 Renewal ~~[and]~~, Reinstatement, *and Continuing Education*. ~~[of Licensure as a Perfusionist Advanced.]~~

A. Renewal. *The Board shall renew the license of a perfusionist-advanced if the perfusionist-advanced meets:*

- 1) *The requirements of 10.32.01 of this subtitle; and*
- 2) *The continuing education requirements of § C of this regulation.* ~~[Notice. At least 1 month before the license expires, the Board shall send a renewal notice to the licensed perfusionist-advanced that states:~~
 - 1) ~~The date on which the current license expires;~~
 - 2) ~~The date by which the renewal application shall be received by the Board for the renewal to be issued and mailed before the license expires; and~~
 - 3) ~~The amount of the renewal fee set by the Board in Regulation .13 of this chapter.~~

~~B. Renewal.~~

- 1) ~~The term of a license issued by the Board may not exceed 3 years.~~
- 2) ~~The Board may not renew a license until the Comptroller of Maryland has verified that the individual has paid all undisputed taxes and unemployment insurance contributions, or arranged for repayment, as required by COMAR 10.31.02.~~
- 3) ~~An individual licensed as a perfusionist-basic may not renew the license.~~
- 4) ~~An individual who has been licensed by the Board as a perfusionist-advanced may renew the license every 2 years on or before the date specified by the Board by:~~

- ~~(a) Submitting a renewal application online or on a form supplied by the Board;~~
- ~~(b) Paying the required renewal fee set by the Board in Regulation .13 of this chapter;~~
- ~~(c) Attesting to current certification by the National Certifying Board; and~~
- ~~(d) Being of good moral character.]~~

[~~E~~] *B. Reinstatement.*

(1) This section does not apply to a post-disciplinary reinstatement as defined under 10.32.02.

(2) A perfusionist-advanced applying for reinstatement may be denied reinstatement subject to the hearing provisions of Health Occupations Article, §14-405, Annotated Code of Maryland, for any of the grounds listed in Health Occupations Article, §14-5E-16, Annotated Code of Maryland.

(3) Subject to § B(2) of this regulation, [F]the Board shall reinstate the license of a perfusionist-advanced who has failed to renew the license for any reason if the perfusionist-advanced:

[~~4~~] *(a) Is of good moral character; and*

[~~1~~] *(b) [Completes a] Applies for reinstatement [application on a form supplied by the Board] after the date the license expires;*

(c) Provides documentation of the continuing education requirements of §C of this regulation;

[~~5~~] *(d) Completes a criminal history records check in accordance with Health Occupations Article, §14-308.1, Annotated Code of Maryland[-] ; and*

[~~2~~] *Meets any additional requirements set by the Board for reinstatement of a license;*

[~~3~~] *(e) Pays to the Board the [required] reinstatement fee set by the Board [and any other applicable fees set by the Board] in accordance with Regulation .11 of this chapter.[:]*

[~~D~~] *Reinstatement of a Revoked License.*

(1) On the application of an individual whose license has been revoked, the Board, on the affirmative vote of a majority of the quorum, may in its discretion, reinstate a revoked license.

(2) When a time period is not stated in an order for revocation:

(a) The Board may not entertain an application for post-disciplinary reinstatement until at least 3 years after the date of the order; and

~~(b) A revocation of a license may not be for less than 1 year.~~

~~(3) The Board may not entertain an application for post-disciplinary reinstatement after an order of revocation unless:~~

~~(a) Any time period stated in the order has expired;~~

~~(b) Any condition set out in the order has been fulfilled;~~

~~(c) The applicant has filed a formal application and paid the fee set by the Board in Regulation .13 of this chapter; and~~

~~(d) The applicant meets all of the requirements for reinstatement set out in §D of this regulation.~~

~~(4) The Board shall entertain applications for reinstatement pursuant to the procedures and standards of COMAR 10.32.02.06B.~~

~~(5) The Board may not entertain applications for reinstatement if a revocation is permanent.]~~

C. Continuing Education.

(1) A perfusionist-advanced shall maintain current American Board of Cardiovascular Perfusion certification as follows:

(a) For license renewal, the expiration of a license for perfusion; or

(b) For license reinstatement, the date of submission of the application for reinstatement.

(2) A perfusionist-advanced shall obtain the required documentation of continuing education attendance and retain this documentation for the succeeding 6 years for possible inspection by the Board.

(3) The required documentation shall contain, at a minimum, the following information:

(a) Program title;

(b) Sponsor's name;

(c) Perfusionist-advanced's name;

(d) Inclusive date or dates and location of the program;

(e) The number of continuing education hours earned; and

(f) Documented verification that the perfusionist-advanced attended the program by stamp, signature, print-out, or other official proof.

(4) Proof of maintenance of certification by the national certifying board may be used to document compliance with the continuing education requirements specified in this regulation.

(5) The Board may request a perfusionist-advanced to submit evidence of having met the continuing education requirements specified in this regulation.

(6) If a perfusionist-advanced cannot demonstrate completion of the required continuing education credit hours, the Board may impose a civil penalty of up to \$100 per missing continuing education credit hour.

(7) The continuing education requirement applies to all renewal applications after the first renewal.

~~[.11 Continuing Education.~~

~~A. Application.~~

~~(1) The continuing education requirements apply to all renewal applications.~~

~~(2) The Board may not renew or reinstate the license of a perfusionist-advanced unless the perfusionist-advanced has met the requirements for continuing education described in §B of this regulation.~~

~~B. Requirements. A licensed perfusionist-advanced shall meet continuing education requirements sufficient to maintain current national certification from the National Certifying Board.~~

~~C. Documentation of Continuing Education Credits. A current certificate from the national certifying board will serve as documentation of continuing education credits earned.]~~

~~[.12] .10 Clinical Activity.~~

A. Application.

(1) The clinical activity requirements apply to all renewal applications.

(2) The Board may not renew or reinstate the license of a perfusionist-advanced unless the perfusionist-advanced has met the requirements for clinical activity described in §B of this regulation.

B. Requirements. A ~~[licensed]~~ perfusionist-advanced shall meet clinical activity requirements sufficient to maintain current national certification from the national certifying board.

C. Documentation of Clinical Activity. A current certificate from the national certifying board will serve as documentation of clinical activities performed.

~~[.13]~~ .11 Fees.

The following non-refundable fees are applicable to perfusionists:

~~[A. Perfusionist initial license application fee:~~

~~(1) Before October 1, 2015 — \$300; and~~

~~(2) After October 1, 2015 — To be determined and promulgated in regulations by the Board in accordance with Health Occupations Article, §14-205(a)(16), Annotated Code of Maryland (Supp. 2013);]~~

A. Initial Licensure:

(1) Initial licensure application fee — \$300; and

(2) Fee per month for remaining months until first renewal — \$5 per month;

B. Renewal of Licensure ~~[Perfusionist license renewal fees, after October 1, 2015]:~~

(1) License renewal application fee — \$221 ~~[License renewal fee — To be determined and promulgated in regulations by the Board in accordance with Health Occupations Article, §14-205(a)(16), Annotated Code of Maryland (Supp. 2013)]; and~~

(2) Maryland Health Care Commission (MHCC) fee — As determined by MHCC under COMAR 10.25.[03] .02;

C. Reinstatement fee — \$300 ~~[, after October 1, 2015 — To be determined and promulgated in regulations by the Board in accordance with Health Occupations Article, §14-205(a)(16), Annotated Code of Maryland (Supp. 2013)]; and~~

D. Written verification of licensure fee — \$25. ~~[; and~~

E. Replacement of license fee — \$25]

~~§ 14 Prohibited Conduct.~~

~~A. Subject to the hearing provision of Health Occupations Article, §14-405, Annotated Code of Maryland, the disciplinary panel may deny a license to any applicant, reprimand any licensee, place any licensee on probation, or suspend or revoke a license 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) Is guilty of unprofessional or immoral conduct in the practice of perfusion; or~~

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

~~(5) Abandons a patient;~~

~~(6) Is habitually intoxicated;~~

~~(7) Is addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in Criminal Law Article, §5-101, Annotated Code of Maryland;~~

~~(8) Provides professional services while:~~

~~(a) Under the influence of alcohol; or~~

~~(b) Using any narcotic or controlled dangerous substance as defined in Criminal Law Article, §5-101, Annotated Code of Maryland, or any other drug that is in excess of therapeutic amounts or without valid medical indication;~~

~~(9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;~~

~~(10) Willfully makes or files a false report or record in the practice of perfusion;~~

~~(11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;~~

~~(12) Breaches patient confidentiality;~~

~~(13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;~~

- ~~(14) Knowingly makes a misrepresentation while practicing perfusion;~~
- ~~(15) Knowingly practices perfusion with an unauthorized individual or aids an unauthorized individual in the practice of perfusion;~~
- ~~(16) Knowingly delegates a perfusion duty to an unlicensed individual;~~
- ~~(17) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment or medicine;~~
- ~~(18) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the US Department of Veterans Affairs for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;~~
- ~~(19) Fails to meet appropriate standards for the delivery of perfusion services;~~
- ~~(20) Knowingly submits false statements to collect fees for which services are not provided;~~
- ~~(21) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and has:~~
- ~~(a) Surrendered the license, if any, issued by the state or country; or~~
- ~~(b) Allowed the license, if any, issued by the state or country to expire or lapse;~~
- ~~(22) Knowingly fails to report suspected child abuse in violation of Family Law Article, §5-704, Annotated Code of Maryland;~~
- ~~(23) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;~~
- ~~(24) Practices or attempts to practice beyond the authorized scope of practice;~~
- ~~(25) Is convicted of or pleads *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;~~
- ~~(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) Practices or attempts to practice a perfusion procedure or uses or attempts to use perfusion equipment if the applicant or licensee has not received education and training in the performance of the procedure or the use of the equipment; or~~

~~(28) Fails to cooperate with a lawful investigation of the Board.~~

~~(29) Fails to complete a criminal history records check in accordance with Health Occupations Article, §14-308.1, Annotated Code of Maryland.~~

~~B. Crimes of Moral Turpitude.~~

~~(1) On the filing of certified docket entries with the Board by the Office of the Attorney General, the disciplinary panel shall order the suspension of a license if the licensee is convicted of, or pleads guilty or nolo contendere with respect to, a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.~~

~~(2) After completion of the appellate process, if the conviction has not been reversed or the plea has not been set aside with respect to a crime involving moral turpitude, the disciplinary panel shall order the revocation of a license on the certification by the Office of the Attorney General.~~

~~C. Unless the disciplinary panel agrees to accept the surrender of a license, a licensed perfusionist 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.]~~

~~[.15 Penalties.~~

~~A. Except as otherwise provided in Health Occupations Article, §14-5E-01(g), Annotated Code of Maryland, an individual may not practice, attempt to practice, or offer to practice perfusion in this State unless licensed to practice perfusion by the Board.~~

~~B. An individual who violates any provision of this chapter is subject to a civil fine of not more than \$5,000 to be levied by the disciplinary panel.~~

~~C. The Board shall pay any penalty collected under this regulation into the Board of Physicians Fund.]~~

~~[.16 Investigations, Hearings, and Appeals.~~

~~A. Complaints alleging prohibited conduct shall be referred to the Board to be investigated according to the disciplinary panel's procedures.~~

~~B. A hearing on charges issued under Regulation .14 of this chapter or Health Occupations Article, §14-5E-16(a), Annotated Code of Maryland, shall be held in accordance with the hearing provisions of Health Occupations Article, §14-405, Annotated Code of Maryland.~~

~~C. Proceedings for crimes of moral turpitude under Health Occupations Article, §14-5E-16 (e), Annotated Code of Maryland, or Regulation .14B of this chapter, shall be held in accordance with COMAR 10.32.02.08.~~

~~D. Appeals from a final Board decision shall be taken in accordance with Health Occupations Article, §14-5E-17, Annotated Code of Maryland.]~~

~~17 Required Reports.~~

~~A. Except as provided in §B, C, or F of this regulation, hospitals, related institutions, alternative health systems as defined in Health Occupations Article, §1-401, Annotated Code of Maryland, and employers shall file with the Board a report that the hospital, related institution, alternative health system, or employer limited, reduced, otherwise changed, or terminated any licensed perfusionist for any reason that might be grounds for disciplinary action under Health Occupations Article, §14-5E-16, Annotated Code of Maryland, or any regulation in this chapter.~~

~~B. If the action taken by a hospital, related institution, alternative health system, or employer under §A of this regulation relates to alcohol or drug impairment, the hospital, related institution, alternative health system or employer is not required to report the perfusionist to the Board if:~~

~~(1) The hospital, related institution, alternative health system, or employer knows that the licensed perfusionist is:~~

~~(a) In an alcohol or drug treatment program that is:~~

~~(i) Accredited by The Joint Commission or its successor; or~~

~~(ii) Certified by the Maryland Department of Health; or~~

~~(b) Under the care of a health care practitioner who is competent and capable of dealing with alcoholism and drug abuse;~~

~~(2) The perfusionist takes appropriate steps to permit the hospital, related institution, alternative health system, or employer to verify that the licensed perfusionist remains in the treatment program and is compliant with the requirements of that program until discharge; and~~

~~(3) The action of condition of the licensed perfusionist has not caused injury to an individual while the perfusionist is practicing as a licensed perfusionist.~~

~~C. If a licensed perfusionist enters or is considering entering an alcohol or drug treatment program that is accredited by The Joint Commission or its successor that is certified by the Maryland Department of Health, the licensed perfusionist shall notify the hospital, related institution, alternative health system, or employer of the licensed perfusionist's decision to enter the treatment program.~~

~~D. If the licensed perfusionist fails to provide the notice required under §C of this regulation, and the hospital, related institution, alternative health system, or employer learns that the licensed perfusionist has entered a treatment program, the hospital related institution, alternative health system, or employer shall report to the Board that the licensed perfusionist has:~~

~~(1) Entered a treatment program; and~~

~~(2) Failed to provide the required notice.~~

~~E. If the perfusionist has failed to take appropriate steps or has failed to remain compliant under §B(2) of this regulation or has failed to provide the required notice under §C of this regulation, the perfusionist may not use his or her participation in the treatment program as a mitigating circumstance in any disciplinary action.~~

~~F. Noncompliance:~~

~~(1) If the licensed perfusionist is found to be noncompliant with the treatment program's policies and procedures while in the treatment program, the treatment program shall notify the hospital, related institution, alternative health system, or employer of the licensed perfusionist's noncompliance.~~

~~(2) On receipt of the notification required under §C of this regulation, the hospital, related institution, alternative health system, or employer of the licensed perfusionist shall report the licensed perfusionist's noncompliance to the Board.~~

~~G. A person as defined in Health Occupations Article, §14-101(h), Annotated Code of Maryland, is not required under this regulation to make any report that would be in violation of any federal or state law, rule, or regulation concerning the confidentiality of alcohol and drug abuse patient records.~~

~~H. The hospital, related institution, alternative health system, or employer shall submit a required report within 10 days of any action described in this regulation.~~

~~I. A report made under this regulation is not subject to subpoena or discovery in a civil action other than a proceeding arising out of a hearing and decision of the Board under Health Occupations Article, Title 14, Annotated Code of Maryland.]~~

~~[.18 Fines, Penalties, and Sanctioning.~~

~~A. General Application of Sanctioning Guidelines.~~

~~(1) Sections A and B of this regulation and Regulation .19 of this chapter do not apply to offenses for which a mandatory sanction is set by statute or regulation.~~

~~(2) Except as provided in §B of this regulation, for violations of Health Occupations Article §14-5E-16 Annotated Code of Maryland, listed in the sanctioning guidelines, the disciplinary panel shall impose a sanction not less severe than the minimum listed in the sanctioning guidelines nor more severe than the maximum listed in the sanctioning guidelines for each offense.~~

~~(3) Ranking of Sanctions.~~

~~(a) For the purposes of this regulation, the severity of sanctions is ranked as follows, from the least severe to the most severe:~~

~~(i) Reprimand;~~

~~(ii) Probation;~~

~~(iii) Suspension; and~~

~~(iv) Revocation.~~

~~(b) A stayed suspension in which the stay is conditioned on the completion of certain requirements is ranked as probation.~~

~~(c) A stayed suspension not meeting the criteria for §A(3)(b) of this regulation is ranked as a reprimand.~~

~~(d) A fine listed in the sanctioning guidelines may be imposed in addition to, but not as a substitute for a sanction. If a fine is listed, then at least the minimum fine will be imposed in addition to the sanction.~~

~~(e) The imposition of a fine does not affect the making of the sanction.~~

~~(4) The disciplinary panel may impose more than one sanction, provided that the most severe sanction neither exceeds the maximum nor is less than the minimum sanction permitted in the chart.~~

~~(5) Any sanction may be accompanied by conditions reasonably related to the offense or to the rehabilitation of the offender. The inclusion of conditions does not change the ranking of the sanction.~~

~~(6) If a licensee has violated more than one ground for discipline as set out in the sanctioning guidelines:~~

~~(a) The sanction with the highest severity ranking should be used to determine which ground will be used in developing a sanction; and~~

~~(b) The Board may impose concurrent sanctions based on other grounds violated.~~

~~(7) Notwithstanding the sanctioning guidelines set forth in Regulation .19 of this chapter, in order to resolve a pending disciplinary action, the Board and the licensee may agree to a surrender of license or a consent order with terms and sanction agreed to by the Board, the administrative prosecutor, and the licensee.~~

~~B. Aggravating and Mitigating Factors:~~

~~(1) Depending on the facts and circumstances of each case, and to the extent that the facts and circumstances apply, the Board may consider the aggravating and mitigating factors set out in §B(4) and (5) of this regulation and may in its discretion determine, based on those factors, that an exception should be made and that the sanction in a particular case should fall outside the range of sanctions listed in the sanctioning guidelines.~~

~~(2) Nothing in this regulation requires the Board or an Administrative Law Judge to make findings of fact with respect to any of these factors.~~

~~(3) The existence of one or more of these factors does not impose on the Board or an Administrative Law Judge any requirement to articulate its reasoning for not exercising its discretion to impose a sanction outside of the range of sanctions set out in the sanctioning guidelines.~~

~~(4) Mitigating factors may include, but are not limited to, the following:~~

~~(a) The absence of a prior disciplinary record;~~

~~(b) The offender self-reported the incident;~~

~~(c) The offender voluntarily admitted the misconduct, made full disclosure to the Board and was cooperative during the Board proceedings;~~

~~(d) The offender implemented remedial measures to correct or mitigate the harm arising from the misconduct;~~

~~(e) The offender made good faith efforts to make restitution or to rectify the consequences of the misconduct;~~

~~(f) The offender has been rehabilitated or exhibits rehabilitative potential;~~

~~(g) The misconduct was not premeditated;~~

- ~~(h) There was no potential harm to patients or the public or other adverse impact; or~~
- ~~(i) The incident was isolated and is not likely to recur.~~
- ~~(5) Aggravating factors may include, but are not limited to, the following:~~
 - ~~(a) The offender has a previous criminal or administrative disciplinary history;~~
 - ~~(b) The offense was committed deliberately or with gross negligence or recklessness;~~
 - ~~(c) The offense had the potential for or actually did cause patient harm;~~
 - ~~(d) The offense was part of a pattern of detrimental conduct;~~
 - ~~(e) The offender committed a combination of factually discrete offenses adjudicated in a single action;~~
 - ~~(f) The offender pursued his or her financial gain over the patient's welfare;~~
 - ~~(g) The patient was especially vulnerable;~~
 - ~~(h) The offender attempted to hide the error or misconduct from patients or others;~~
 - ~~(i) The offender concealed, falsified, or destroyed evidence or presented false testimony or evidence;~~
 - ~~(j) The offender did not cooperate with the investigation; or~~
 - ~~(k) Previous attempts to rehabilitate the offender were unsuccessful.~~

~~C. Offenses Related to Continuing Education Credits:~~

~~(1) Willful Falsification:~~

- ~~(a) If a licensee has willfully falsified an application with respect to continuing education credits, the licensee may be charged under one or more of the following, as appropriate:~~
 - ~~(i) Health Occupations Article, §14-5E-16 (a)(1), Annotated Code of Maryland;~~
 - ~~(ii) Health Occupations Article, §14-5E-16(a)(3), Annotated Code of Maryland;~~
 - ~~(iii) Health Occupations Article, §14-5E-16(a)(10), Annotated Code of Maryland; and~~
 - ~~(iv) Health Occupations Article, §14-5E-16(a)(11), Annotated Code of Maryland.~~

~~(b) Upon finding a violation, the Board may impose any discipline authorized under Health Occupations Article, §14-5E-16, Annotated Code of Maryland, and the sanctioning guidelines.~~

~~(2) Licensees Previously Disciplined Under §C(1) of this regulation:~~

~~(a) Upon a finding of a violation, the Board may impose any discipline authorized under Health Occupations Article, §14-5E-16, Annotated Code of Maryland, and the sanctioning guidelines for a subsequent offense.~~

~~(b) The Board may not apply the sanction described in §C(1) of this regulation in determining a sanction for a licensee previously disciplined for an offense related to continuing education credits.~~

~~D. Offenses Related to Clinical Activity:~~

~~(1) Willful Falsification:~~

~~(a) If a licensee has willfully falsified an application with respect to clinical activities, the licensee may be charged under one or more of the following, as appropriate:~~

~~(i) Health Occupations Article, §14-5E-16 (a)(1), Annotated Code of Maryland;~~

~~(ii) Health Occupations Article, §14-5E-16(a)(3), Annotated Code of Maryland;~~

~~(iii) Health Occupations Article, §14-5E-16(a)(10), Annotated Code of Maryland; and~~

~~(iv) Health Occupations Article, §14-5E-16(a)(11), Annotated Code of Maryland.~~

~~(b) Upon a finding of a violation, the Board may impose any discipline authorized under Health Occupations Article, §14-5E-16, Annotated Code of Maryland, and the sanctioning guidelines.~~

~~(2) Licensees Previously Disciplined Under §D(1) of this regulation:~~

~~(a) Upon a finding of a violation, the Board may impose any discipline authorized under Health Occupations Article, §14-5E-16, Annotated Code of Maryland, and the sanctioning guidelines.~~

~~(b) The Board may not apply the sanction described in §D(1) of this regulation in determining as sanction for a licensee previously fined or disciplined for an offense related to criminal activities.]~~

[.19] .12 Sanctioning Guidelines for Perfusionists.

A. Subject to provisions of *COMAR 10.32.02.10*, [~~Regulation 18 A and B of this chapter,~~] a *disciplinary panel* [~~the Board~~] may impose sanctions as outlined in §B of this regulation on perfusionists for violations of Health Occupations Article, §14-5E-16, Annotated Code of Maryland. [~~or Regulation 14 of this chapter.~~]

B. Range of Sanctions.

Ground	[Maximum] Minimum Sanction	[Minimum] Maximum Sanction	[Maximum] Minimum Fine	[Minimum] Maximum Fine
(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another	[Revocation] <i>Reprimand with probation for 2 years</i>	[Reprimand with probation for 2 years] <i>Revocation</i>	\$0	\$5,000
(2) Fraudulently or deceptively uses a license	[Revocation] <i>Probation</i>	[Probation] <i>Revocation</i>	\$0	\$5,000
(3) Is guilty of <i>immoral conduct in the practice of perfusion</i> [unprofessional] or [immoral] <i>unprofessional</i> conduct in the practice of perfusion	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	\$0	\$5,000
(4) Incompetence				
(a) <i>Is professionally incompetent</i>	[Revocation] <i>Suspension until professional incompetence is addressed to Board's satisfaction</i>	[Suspension until professional incompetence is addressed to Board's satisfaction] <i>Revocation</i>	\$0	\$5,000

(b) Is physically [or mentally] incompetent	[Revocation] <i>Suspension until physical incompetence is addressed to Board's satisfaction</i>	[Suspension until physical or mental incompetence is addressed to Board's satisfaction] <i>Revocation</i>	\$0	\$5,000
(c) <i>Is mentally incompetent</i>	<i>Suspension until mental incompetence is addressed to Board's satisfaction</i>	<i>Revocation</i>	\$0	\$5,000
(5) Abandons a patient	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	\$0	\$5,000
(6) Is habitually intoxicated	[Revocation] <i>Suspension until the perfusionist is in treatment and has been abstinent for 6 months</i>	[Suspension until licensee is in treatment and has been abstinent for 6 months] <i>Revocation</i>	\$0	\$5,000
(7) Is addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in Criminal Law Article, §5-101, Annotated Code of Maryland	[Revocation] <i>Suspension until the perfusionist is in treatment and has been abstinent for 6 months</i>	[Suspension until licensee is in treatment and has been abstinent for 6 months] <i>Revocation</i>	\$0	\$5,000

<p>(8) Provides professional services while: (a) Under the influence of alcohol; or (b) Using any narcotic or controlled dangerous substance as defined in Criminal Law Article, §5-101, Annotated Code of Maryland, or any other drug that is in excess of therapeutic amounts or without valid medical indication</p>	<p>[Revocation] <i>Suspension until the perfusionist is in treatment and has been abstinent for 6 months</i></p>	<p>[Suspension until professional is in treatment and has been abstinent for 6 months] <i>Revocation</i></p>	<p>\$0</p>	<p>\$5,000</p>
<p>(9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain</p>	<p>[Revocation] <i>Reprimand</i></p>	<p>[Reprimand] <i>Revocation</i></p>	<p>\$0</p>	<p>\$5,000</p>
<p>(10) Willfully makes or files a false report or record in the practice of perfusion</p>	<p>[Revocation] <i>Reprimand</i></p>	<p>[Reprimand] <i>Revocation</i></p>	<p>\$0</p>	<p>\$5,000</p>
<p>(11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of the report, or induces another to fail to file or record the report</p>	<p>[Revocation] <i>Reprimand</i></p>	<p>[Reprimand] <i>Revocation</i></p>	<p>\$0</p>	<p>\$5,000</p>
<p>(12) Breaches patient confidentiality</p>	<p>[Revocation] <i>Reprimand</i></p>	<p>[Reprimand] <i>Revocation</i></p>	<p>\$0</p>	<p>\$5,000</p>
<p>(13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any individual for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient</p>	<p>[Revocation] <i>Reprimand</i></p>	<p>[Reprimand] <i>Revocation</i></p>	<p>\$0</p>	<p>\$5,000</p>

(14) [Knowingly] <i>Willfully</i> makes a misrepresentation while practicing perfusion	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	\$0	\$5,000
(15) [Knowingly] <i>Willfully</i> practices perfusion with an unauthorized individual or aids an unauthorized individual in the practice of perfusion	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	\$0	\$5,000
(16) [Knowingly] <i>Willfully</i> delegates a perfusion duty to an unlicensed individual	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	\$0	\$5,000
(17) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	\$0	\$5,000
(18) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the Veterans Administration for an act that would be grounds for disciplinary action under this section	[Penalty comparable to what the Board imposes under equivalent Maryland ground for discipline] <i>Penalty equivalent to that imposed by original licensing board if this is less than the Board sanction would be</i>	[Penalty equivalent to that imposed by original licensing board if this is less than the Board sanction would be] <i>Penalty comparable to what the Board imposes under equivalent Maryland ground for discipline</i>	<i>Fine equivalent to that imposed by the original licensing board if this is less than the Board fine would be</i>	<i>Fine comparable to what the Board imposes under equivalent Maryland ground for discipline</i>
(19) Fails to meet appropriate standards for the delivery of perfusion services	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	\$0	\$5,000
(20) [Knowingly] <i>Willfully</i> submits false statements to collect fees for which services have not been provided	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	\$0	\$5,000

<p>(21) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and has:</p> <p>(a) Surrendered the license, if any, issued by the state or country; or</p> <p>(b) Allowed the license, if any, issued by the state or country to expire or lapse</p>	<p>[Penalty comparable to what the Board imposes under equivalent Maryland ground for discipline] <i>Penalty equivalent to that imposed by original licensing board if this is less than the Board sanction would be</i></p>	<p>[Penalty equivalent to that imposed by original licensing board if this is less than the Board sanction would be] <i>Penalty comparable to what the Board imposes under equivalent Maryland ground for discipline</i></p>	<p><i>Fine equivalent to that imposed by the original licensing board if this is less than the Board fine would be</i></p>	<p><i>Fine comparable to what the Board imposes under equivalent Maryland ground for discipline</i></p>
<p>(22) [Knowingly] <i>Willfully</i> fails to report suspected child abuse in violation of Family Law Article, §5-704, Annotated Code of Maryland</p>	<p>[Revocation] <i>Reprimand</i></p>	<p>[Reprimand] <i>Revocation</i></p>	<p>\$0</p>	<p>\$5,000</p>
<p>(23) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes</p>	<p>[Revocation] <i>Reprimand and 3 years of probation with practice oversight</i></p>	<p>[Reprimand, probation for 3 years with practice oversight] <i>Revocation</i></p>	<p>\$0</p>	<p>\$5,000</p>
<p>(24) Practices or attempts to practice beyond the authorized scope of practice</p>	<p>[Revocation] <i>Suspension for 3 months</i></p>	<p>[Suspension for 3 months] <i>Revocation</i></p>	<p>\$0</p>	<p>\$5,000</p>
<p>(25) Is convicted or pleads 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</p>	<p>[Revocation] <i>Suspension for 3 months</i></p>	<p>[Suspension for 3 months] <i>Revocation</i></p>	<p>\$0</p>	<p>\$5,000</p>

(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	[Suspension for 1 year] <i>Reprimand</i>	[Reprimand] <i>Suspension for 1 year</i>	\$0	\$5,000
(27) Practices or attempts to practice a perfusion procedure or uses or attempts to use perfusion equipment if the applicant or licensee has not received education and training in the performance of the procedure or the use of the equipment	[Revocation] <i>Suspension for 3 months</i>	[Suspension for 3 months] <i>Revocation</i>	\$0	\$5,000
(28) Fails to cooperate with a lawful investigation conducted by the Board	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	\$0	\$5,000
(29) <i>Fails to complete a criminal history records check under § 14-308.1 of this title</i>	<i>Reprimand</i>	<i>Revocation</i>	\$0	\$5,000