

EMERGENCY MEDICAL SERVICES
 PROVIDERS
 CHAPTER 04 PROHIBITED CONDUCT

.01 Prohibited Conduct.

The following conduct is prohibited:

- A. Fraudulently or deceptively obtaining or attempting to obtain a certificate or license for oneself or for another;
- B. Fraudulently or deceptively using a certificate or license;
- C. Engaging in unprofessional or immoral conduct while providing emergency medical services;
- D. Being adjudicated incompetent;
- E. Abandoning a patient;
- F. Habitual intoxication;
- G. Addiction to or abuse of any narcotic or controlled dangerous substance as defined in Article 27, Annotated Code of Maryland, or abusing any other drug or substance in a manner that is harmful;
- H. Providing emergency medical services while:
 - (1) Under the influence of alcohol, or
 - (2) Using any narcotic or controlled dangerous substance, as defined in Article 27, Annotated Code of Maryland, or while using any other drug that is in excess of therapeutic amounts, or without valid medical indication;
- I. Willfully making or filing a false report or record related to the provision of emergency medical services;
- J. Willfully failing to file or record, willfully impeding or obstructing the filing or recording, or willfully destroying a report required to be filed by statute or regulation;
- K. Knowingly providing emergency medical services with an unauthorized individual, or knowingly aiding an unauthorized individual in providing emergency medical services;
- L. Being disciplined by a licensing or disciplinary authority, or convicted or disciplined by a court of any state or country, or disciplined by any branch of the United States Government for an act that would be grounds for disciplinary action under this regulation;
- M. Failing to meet or violating appropriate protocols or standards of care for the delivery of quality emergency medical services;
- N. Willfully submitting false statements to collect fees;
- O. As a result of an investigation or disciplinary action by a certifying, licensing, or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under this regulation:
 - (1) Surrendering the certificate or license issued by the state or country, or
 - (2) Allowing the certificate or license issued by the state or country to expire or lapse;
- P. Knowingly failing to report suspected child abuse or neglect in violation of Family Law Article, s 5-704, Annotated Code of Maryland, or abuse or neglect of a vulnerable adult under Family Law Article, § 14-302, Annotated Code of Maryland;
- Q. Selling, prescribing, giving away, or administering drugs for illegal purposes;
- R. Breaching patient confidentiality in violation of Health-General Article, Title 4, Subtitle 3, Annotated Code of Maryland;
- S. Providing emergency medical services beyond the individual's authorized scope of practice;
- T. Being convicted of or pleading guilty or nolo contendere with respect to a felony, a serious crime of violence against a person, a crime involving controlled dangerous substances, a serious crime against property, a crime involving sexual misconduct, a crime in which the victim is a patient or

other individual entrusted to the care or protection of the applicant or EMS provider, or a crime involving moral turpitude, whether any appeal or other proceeding is pending to have the conviction or plea set aside, except that the individual may apply for reinstatement upon any successful appeal or upon the conviction being set aside;

U. Providing or attempting to provide any medical procedure without having received the required education, internship, or experience in the use of the procedure, except as authorized in COMAR 30.02.03;

V. Refusing, withholding from, denying, or discriminating against an individual in need of emergency medical services, with regard to the provision of services which the licensee or certificate holder is licensed or certified and qualified to render because the individual is HIV positive;

W. Except in a situation when it is not feasible or practicable, failing to comply with the MIEMSS' guidelines on standard precautions;

X. Intentionally misrepresenting the level of emergency medical services licensure or certification held by the individual;

Y. Failing to comply with any regulations in this subtitle.

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Y. Failing to comply with any regulations in this subtitle[.]; or

Z. For incidents occurring before January 1, 1999, any act prohibited under the applicable regulations of the Board of Physician Quality Assurance in effect at that time.

.02 Actions Taken as a Result of Prohibited Conduct.

Subject to the hearing provisions of Education Article, § 13-516, Annotated

Code of Maryland, and this chapter, the EMS Board may take the following actions against an EMS provider or an applicant who has engaged in prohibited conduct:

A. Reprimand or place an EMS provider on probation;

B. Suspend or revoke the license or certificate of an EMS provider;

C. Deny a license or certificate to an applicant; or

D. Refuse to renew an applicant's license or certificate.