

## CAUSES FOR DISCIPLINARY ACTION

### Polysomnographic:

**§37:2848.** Refusal, suspension, revocation; grounds

The board may refuse to issue, or may suspend or revoke a certificate on any one or more of the following grounds:

(a) Failure to inform the person to be examined as to the nature of the examination.

(b) Failure to inform the person to be examined that his participation in the examination is voluntary, and that the refusal to submit to a polygraph shall not be an inference of guilt, nor shall it be cause or justification for termination of employment within the meaning of any law relating to unemployment compensation.

(c) Material misstatement in the application for original certificate or in the application for any renewal certificate under this Chapter.

(d) Willful disregard or violation of this Chapter or of any regulation or rule issued pursuant thereto, including, but not limited to, willfully making a false report concerning an examination for polygraph examination purposes.

(e) If the holder of any certificate has been adjudged guilty of the commission of a felony or misdemeanor involving moral turpitude.

(f) Willful misrepresentation or false promises, or causing to be printed any false or misleading advertisement for the purpose of directly or indirectly obtaining business or trainees.

(g) Demonstration of unworthiness or incompetency to act as a polygraphist as defined by this Chapter.

(h) Allowing one's certificate under this Chapter to be used by any uncertified person in violation of the provisions of this Chapter.

(i) Willfully aiding or abetting another in the violation of this Chapter or any regulations or rule issued pursuant thereto.

(j) Failure to provide within thirty calendar days information requested by the secretary as the result of a formal complaint to the board which would indicate a violation of this Chapter.

(k) Failure to maintain a complete file of all records pertaining to the individuals administered polygraph examinations, this includes all polygraph charts, all questions asked during the examination, along with the person's responses to all questions.

These records must be kept for at least a one year period from the date of the original examination.

Added by Acts 1980, No. 761, §1.