

TERMINATING THE EMPLOYMENT OF ANY INDIVIDUAL WHO IS BELIEVED TO HAVE ABUSED OR AIDED IN ABUSING A RESIDENT UNDER § 19-347 OF THE HEALTH - GENERAL ARTICLE.

(B) THIS SECTION DOES NOT GRANT ANY IMMUNITY FOR AN ABUSER WHO MAKES A REPORT OR PARTICIPATES IN THE INVESTIGATION OR PROCEEDING.

~~5-376.~~ 5-375.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "HOSPITAL" HAS THE MEANING STATED IN § 19-301 OF THE HEALTH - GENERAL ARTICLE.

(3) "RELATED INSTITUTION" HAS THE MEANING STATED IN § 19-301 OF THE HEALTH - GENERAL ARTICLE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A HOSPITAL OR RELATED INSTITUTION IS NOT IMMUNE FROM LIABILITY FOR NEGLIGENCE OR ANY OTHER TORT ON THE GROUNDS THAT THE HOSPITAL OR RELATED INSTITUTION IS A CHARITABLE INSTITUTION.

(C) A HOSPITAL OR RELATED INSTITUTION THAT IS A CHARITABLE INSTITUTION AND IS INSURED AGAINST THIS LIABILITY IN AN AMOUNT OF NOT LESS THAN \$100,000 IS NOT LIABLE FOR DAMAGES IN EXCESS OF THE LIMITS OF THAT INSURANCE.

~~5-377.~~ 5-376.

(A) FOR PURPOSES OF THIS SECTION, AN "IMMEDIATE THREAT" EXISTS IF ANY MEAT, SEAFOOD, POULTRY, VEGETABLE, FRUIT, OR ANY OTHER PERISHABLE SUBSTANCE THAT IS INTENDED FOR CONSUMPTION AS FOOD:

(1) CONTAINS ANY FILTHY, DECOMPOSED, OR PUTRID SUBSTANCE;

(2) IS POISONOUS OR OTHERWISE WOULD BE INJURIOUS TO HEALTH IF CONSUMED; OR

(3) IS OTHERWISE UNSAFE.

(B) (1) THE SECRETARY OF HEALTH AND MENTAL HYGIENE SHALL BE LIABLE UNDER § 21-254 OF THE HEALTH - GENERAL ARTICLE ONLY IF THE OWNER CAN PROVE BY A PREPONDERANCE OF EVIDENCE THAT, AT THE TIME OF THE ACTION TAKEN AGAINST THE SUBSTANCE, THE SUBSTANCE DID NOT POSE AN IMMEDIATE THREAT.

(2) ANY LIABILITY UNDER § 21-254 OF THE HEALTH - GENERAL ARTICLE SHALL BE LIMITED TO THE MARKET VALUE OF THE