

Abandoned Property Section; establishing procedures relating to the escrow accounts; providing penalties for violation of this section; and generally relating to the handling of patient money and valuables by the facility.

By adding to

Article 43 - Health  
Section 565E  
Annotated Code of Maryland  
(1971 Replacement Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 43 - Health

565E.

(A) (1) IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANING INDICATED.

(2) "FACILITY" MEANS ANY SPECIAL HOSPITAL OR RELATED INSTITUTION AS DEFINED IN ARTICLE 43, §556(D) (1).

(3) "DEPARTMENT" MEANS THE STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(4) "PERSONAL REPRESENTATIVE" MEANS AN EXECUTOR OR ADMINISTRATOR OF AN ESTATE WHOSE CONDITIONS OF APPOINTMENT AND DUTIES ARE SET OUT IN TITLES 6 AND 7 OF THE ESTATES AND TRUSTS ARTICLE.

(5) "BANK" MEANS A BANKING INSTITUTION WHICH IS LICENSED TO DO BUSINESS IN THE STATE AND WHICH IS COVERED BY THE FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC), FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION (FSLIC) OR MARYLAND SAVINGS SHARE INSURANCE CORPORATION.

(6) "ACCOUNT" MEANS A SAVINGS ACCOUNT IN A BANK, A BANK ACCOUNT DESIGNATED "GENERAL FUND OF THE PARTICIPATING RESIDENTS OF THE (NAME OF THE FACILITY)", OR AN ACCOUNT WITH THE STATE OR COUNTY TREASURER.

(7) "ABUSE OF PATIENTS' FUNDS" MEANS:

(I) EXPENDITURE OF FUNDS CONTRARY TO THE EXPRESS WISHES OF THE PATIENT EXCEPT TO THE EXTENT OF REASONABLE EXPENDITURES NECESSARY FOR THE DIRECT AND IMMEDIATE BENEFIT AND WELFARE OF THE PATIENT.

(II) EXPENDITURE OF FUNDS FOR THE USE AND BENEFIT OF THE PERSON MANAGING THE FUNDS OR FOR ANY OTHER PERSON THAN THE PATIENT EXCEPT FOR SUCH REASONABLE EXPENDITURES AS ARE ALSO FOR THE DIRECT AND IMMEDIATE