

(M) (1) ALL TANGIBLE AND INTANGIBLE PERSONAL PROPERTY AND ANY INCOME OR INCREMENT ON THE PROPERTY HELD BY A NURSING HOME FOR THE BENEFIT OF A DECEASED OR DISCHARGED PATIENT AND REMAINING, FOR MORE THAN ONE (1) YEAR, UNCLAIMED BY THE PATIENT OR A PERSONAL REPRESENTATIVE OR HEIR, ARE PRESUMED ABANDONED.

(2) THE COMPTROLLER SHALL ESTABLISH PROCEDURES FOR RECEIPT OF A PATIENT'S MONEY AND FOR MAINTENANCE OF ESCROW ACCOUNTS REQUIRED BY THIS SECTION.

(3) THE COMPTROLLER'S OFFICE SHALL MAINTAIN THE ESCROW ACCOUNT ON BEHALF OF THE PATIENT FOR A PERIOD OF SEVEN YEARS. IF AFTER THIS PERIOD NEITHER THE PATIENT, PERSONAL REPRESENTATIVE, HEIRS, NOR ANY OTHER PERSON ENTITLED TO CLAIM THE FUNDS HAS DONE SO, THEN THE FUNDS AND ANY INTEREST EARNED SHALL ACCRUE TO THE STATE. IF PROPERTY IS CLAIMED BY A PERSON ENTITLED TO THE FUNDS OR VALUABLES, THE STATE SHALL RETURN INTEREST EARNED LESS COSTS TO THE STATE OF MAINTAINING THE ACCOUNT. AFTER SEVEN YEARS, TITLE II OF THE COMMERCIAL LAW ARTICLE OF THE MARYLAND CODE PROVIDING FOR DISPOSITION OF UNCLAIMED PROPERTY SHALL APPLY.

(4) THE OFFICE OF THE COMPTROLLER SHALL PUBLISH A NOTICE AT LEAST ONCE A YEAR IN THE MARYLAND REGISTER, LISTING THE NAMES OF ALL PERSONS FOR WHOM IT HAS RECEIVED FUNDS DURING THE PRECEDING CALENDAR YEAR AS REQUIRED BY THIS SECTION.

(N) IF THE OWNERSHIP OF A FACILITY CHANGES, THE NEW OWNER SHALL REQUEST AND RECEIVE A CERTIFIED WRITTEN AUDIT OF ALL ACCOUNTS MAINTAINED FOR PATIENT MONIES AND SHALL GIVE A SIGNED RECEIPT FOR RECEIVING THE PATIENT FUNDS.

(O) (1) ANY VIOLATION OF A PROVISION OF THIS SUBTITLE IS PUNISHABLE BY A FINE NOT TO EXCEED \$500, EXCEPT AS PROVIDED IN SUBPARAGRAPH (2) BELOW.

(2) ABUSE OF PATIENT FUNDS, AS DEFINED IN PARAGRAPH (A) OF THIS SUBTITLE IS A MISDEMEANOR, AND ANY PERSON FOUND GUILTY OF ABUSE OF PATIENT FUNDS UPON CONVICTION IS SUBJECT TO A FINE OF \$500.

(P) THIS STATUTE IS REMEDIAL AND IS INTENDED TO PROVIDE REMEDIES IN ADDITION TO AND NOT IN DEROGATION OF ANY RIGHTS WHICH A PATIENT MAY HAVE BY REASON OF ANY OTHER STATUTE OR COMMON LAW.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved May 16, 1978.