

make restitution in addition to any other penalty provided for the commission of the crime. Payment of restitution to the victim under this subsection has priority over payment of restitution to the Department or any other governmental entity.]

(B) (1) ON CONVICTION OF A CRIME, THE COURT MAY ORDER THE DEFENDANT TO MAKE RESTITUTION IN ADDITION TO ANY OTHER PENALTY FOR THE COMMISSION OF THE CRIME, IF:

(I) PROPERTY OF THE VICTIM WAS STOLEN, CONVERTED, UNLAWFULLY OBTAINED, OR ITS VALUE SUBSTANTIALLY DECREASED AS A DIRECT RESULT OF THE CRIME;

(II) THE VICTIM SUFFERED ACTUAL MEDICAL EXPENSES, DIRECT OUT-OF-POCKET LOSSES, OR LOSS OF EARNINGS AS A DIRECT RESULT OF THE CRIME; OR

(III) THE VICTIM INCURRED MEDICAL EXPENSES THAT WERE PAID BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR ANY OTHER GOVERNMENTAL ENTITY.

(2) THE COURT MAY ORDER THAT RESTITUTION BE MADE TO:

(I) THE VICTIM;

(II) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR OTHER GOVERNMENTAL ENTITY; OR

(III) A THIRD-PARTY PAYOR, INCLUDING AN INSURER, WHICH HAS MADE PAYMENT TO THE VICTIM TO COMPENSATE THE VICTIM FOR A PROPERTY LOSS UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, OR PECUNIARY LOSS UNDER PARAGRAPH (2) (1)(II) OF THIS SUBSECTION.

(3) IF THE VICTIM HAS BEEN FULLY COMPENSATED FOR THE VICTIM'S LOSS BY A THIRD-PARTY PAYOR, THE COURT SHALL MAY ORDER RESTITUTION TO THE THIRD-PARTY PAYOR. OTHERWISE, PAYMENT OF RESTITUTION TO THE VICTIM HAS PRIORITY OVER PAYMENT OF RESTITUTION TO THE THIRD-PARTY PAYOR.

(4) PAYMENT OF RESTITUTION TO THE VICTIM UNDER THIS SUBSECTION HAS PRIORITY OVER PAYMENT OF RESTITUTION TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR OTHER GOVERNMENTAL ENTITY.

(d) [(3) The Division shall forward any property or payments to the victim of the crime, except that, if the payments are made for medical expenses that were paid by the Department of Health and Mental Hygiene or another governmental entity, the payments shall be forwarded to the Department or governmental entity.]