

General Assembly may wish to add a provision in Title 7 of this article.

In subsection (b)(1) of this section, the term "guardian of the person" is substituted for "guardian" to conform to the terminology of the Estates and Trusts Article.

Defined terms: "Facility" § 19-343
"Includes"/"including" § 1-101

19-346. PROPERTY OF RESIDENTS.

(A) DEFINITIONS.

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

(2) "ABUSE OF FUNDS" MEANS SPENDING MONEY OF A RESIDENT:

(I) AGAINST THE EXPRESS WISH OF THE RESIDENT, IF THE EXPENDITURE WAS NOT NECESSARY FOR THE DIRECT AND IMMEDIATE BENEFIT AND WELFARE OF THE RESIDENT; OR

(II) FOR THE USE OR BENEFIT OF A PERSON OTHER THAN THE RESIDENT IF THE EXPENDITURE IS NOT ALSO FOR THE DIRECT AND IMMEDIATE BENEFIT OF THE RESIDENT OR CONSISTENT WITH AN EXPRESS WISH AND PAST BEHAVIOR OF THE RESIDENT.

(3) "BANK" MEANS A BANK, TRUST COMPANY, SAVINGS BANK, OR SAVINGS AND LOAN ASSOCIATION THAT:

(I) IS AUTHORIZED TO DO BUSINESS IN THIS STATE; AND

(II) IS INSURED BY THE FEDERAL DEPOSIT INSURANCE CORPORATION, FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION, OR MARYLAND SAVINGS-SHARE INSURANCE CORPORATION.

(4) "FACILITY" MEANS:

(I) A HOSPITAL THAT IS CLASSIFIED AS A SPECIAL HOSPITAL; OR

(II) A RELATED INSTITUTION.

(B) SCOPE OF SECTION.

THIS SECTION PROVIDES RIGHTS AND REMEDIES IN ADDITION TO, AND NOT IN DEROGATION OF, ANY RIGHT OR REMEDY THAT A RESIDENT OF A FACILITY HAS UNDER ANY OTHER LAW.