

that subsection (a) of this section neither recognizes the legitimacy of volume discounts nor applies to other appropriate individuals, such as employees who accept a bribe or kickback. The General Assembly may wish to expand and clarify subsection (a) of this section.

Defined terms: "Department" § 1-101
 "Hospital" § 19-301 "Person" §§ 1-101 & 19-301
 "License" § 19-301 "Related institution" § 19-301

19-358. OPERATING WITHOUT LICENSE.

(A) OPERATION PROHIBITED.

A PERSON MAY NOT OPERATE A HOSPITAL OR RELATED INSTITUTION UNLESS LICENSED BY THE SECRETARY.

(B) PENALTY.

A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 FOR THE FIRST OFFENSE AND NOT EXCEEDING \$10,000 FOR EACH SUBSEQUENT CONVICTION FOR A VIOLATION OF THE SAME PROVISION. EACH DAY A VIOLATION IS CONTINUED AFTER THE FIRST CONVICTION IS A SUBSEQUENT OFFENSE.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 565.

The reference to a "subsequent conviction for a violation of the same provision" is substituted for the reference to a "successive offense", for clarity.

The only other changes are in style.

Defined terms: "Hospital" § 19-301
 "Person" §§ 1-101 & 19-301
 "Related institution" § 19-301

19-359. REGULATIONS ON RELATED INSTITUTIONS.

A PERSON WHO OPERATES A RELATED INSTITUTION IN VIOLATION OF THE RULES AND REGULATIONS THAT THE SECRETARY ADOPTS FOR RELATED INSTITUTIONS IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000. EACH DAY A VIOLATION IS CONTINUED AFTER THE FIRST CONVICTION IS A SEPARATE OFFENSE.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 565A.

The former phrase "which is subject to the