

~~(3) REFER THE MATTER TO THE MEDICAID FRAUD CONTROL UNIT OF THE OFFICE OF THE ATTORNEY GENERAL.~~

~~(C) THE NOTIFICATION REQUIRED UNDER THIS SUBSECTION DOES NOT LIMIT THE DEPARTMENT'S AUTHORITY TO INVESTIGATE MISTAKEN CLAIMS AND FRAUD, WASTE, AND ABUSE IN ABSENCE OF NOTIFICATION.~~

~~(D) IN DETERMINING WHETHER TO PROCEED WITH AN ACTION, AND AN APPROPRIATE PENALTY, THE DEPARTMENT SHALL TAKE INTO ACCOUNT WHETHER THE PROVIDER:~~

~~(1) SELF-REPORTED; AND~~

~~(2) HAS A CORPORATE COMPLIANCE PROGRAM.~~

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~~(A) A PROVIDER WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS SUBJECT TO THE FOLLOWING ADMINISTRATIVE PENALTIES:~~

~~(1) RECOVERY OF ANY DEPARTMENTAL FUNDS WRONGFULLY, FRAUDULENTLY, OR MISTAKENLY PAID TO THE PROVIDER;~~

~~(2) COSTS OF COLLECTION AND INVESTIGATION OF THE MISTAKEN CLAIM AND FRAUD, WASTE, OR ABUSE;~~

~~(3) INTEREST ON ANY MONEYS MISTAKENLY, WRONGFULLY, OR FRAUDULENTLY OBTAINED BY THE PERSON;~~

~~(4) IMPOSITION OF A LIEN ON ASSETS TO ENSURE SUFFICIENT FUNDS ARE AVAILABLE TO SATISFY ANY RECOVERY AMOUNT DUE TO THE DEPARTMENT;~~

~~(5) A FINE TO BE LEVIED BY THE DEPARTMENT OF UP TO \$10,000 PER INCIDENT WITH A MAXIMUM OF \$100,000;~~

~~(6) SUSPENSION OF THE PROVIDER'S PARTICIPATION IN A PROGRAM;~~

~~(7) TERMINATION OF THE PROVIDER'S PARTICIPATION IN A PROGRAM;~~

~~OR~~

~~(8) ANY OTHER PENALTIES, LIMITS, CONDITIONS, OR CONTROLS IMPOSED BY THE DEPARTMENT REGARDING THE PROVISION OF HEALTH CARE SERVICES TO A RECIPIENT OR THE PROVIDER'S PARTICIPATION IN A DEPARTMENTAL PROGRAM.~~

~~(B) THE PENALTIES PROVIDED IN THIS SECTION ARE IN ADDITION TO ANY CRIMINAL, CIVIL, OR ADMINISTRATIVE PENALTIES PROVIDED UNDER ANY OTHER STATE OR FEDERAL STATUTE OR REGULATION.~~

~~(C) THE DEPARTMENT SHALL PAY ANY FINE COLLECTED UNDER THIS SECTION INTO THE GENERAL FUND OF THE STATE.~~

~~(D) THE COMPTROLLER SHALL:~~