

~~(1) DEPOSIT ANY FINE COLLECTED UNDER THIS SUBTITLE INTO THE GENERAL FUND OF THE STATE; AND~~

~~(2) RETURN TO OR CREDIT THE RESPECTIVE PROGRAM WITH ANY RECOVERY OR OTHER RESTORATION OF FUNDS FOR ACTIONS TAKEN UNDER THIS SECTION.~~

~~(E) AN ACTION UNDER THIS SUBTITLE MAY NOT BE BROUGHT AFTER THE LATER OF:~~

~~(1) 5 YEARS AFTER THE DATE ON WHICH THE VIOLATION OCCURS; OR~~

~~(2) 3 YEARS AFTER THE DATE WHEN FACTS MATERIAL TO THE ACTION ARE KNOWN OR REASONABLY SHOULD HAVE BEEN KNOWN BY THE OFFICIAL OF THE STATE OR DEPARTMENT CHARGED WITH THE RESPONSIBILITY FOR ACTING UNDER THE CIRCUMSTANCES.~~

~~2-508.-~~

~~(A) (1) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT AND IN PARAGRAPH (3) OF THIS SUBSECTION, THE DEPARTMENT SHALL GIVE A PERSON AGAINST WHOM AN ACTION IS CONTEMPLATED NOTICE AND AN OPPORTUNITY FOR A HEARING.~~

~~(2) THE HEARING SHALL BE CONDUCTED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.~~

~~(3) FEDERAL AUTHORITY TO IMMEDIATELY SUSPEND PAYMENT TO A PROVIDER RECEIVING FUNDS UNDER THE MEDICAID PROGRAM FOR FRAUDULENT ACTIVITY IS EXPRESSLY RETAINED.~~

~~(B) (1) A PERSON AGGRIEVED BY A FINAL DECISION OF THE DEPARTMENT MAY TAKE A DIRECT JUDICIAL APPEAL.~~

~~(2) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL REVIEW OF A FINAL DECISION UNDER THE ADMINISTRATIVE PROCEDURE ACT.~~

~~(3) A FINAL DECISION OF THE DEPARTMENT MAY NOT BE STAYED PENDING REVIEW.~~

~~(C) FOR ANY ACTION BROUGHT UNDER THIS SUBTITLE, THE PROVISIONS OF § 10-224 OF THE STATE GOVERNMENT ARTICLE ARE APPLICABLE ONLY TO RECOVERY ACTIONS THAT ARE CLEARLY FRIVOLOUS, VEXATIOUS, OR BROUGHT PRIMARILY FOR THE PURPOSES OF HARASSMENT.~~

~~2-509. 2-505.~~

~~(A) THE DEPARTMENT MAY AWARD A PERSON WHO IS INSTRUMENTAL IN THE RECOVERY OF DEPARTMENTAL FUNDS AN AMOUNT NOT GREATER THAN 10% OF THE PROCEEDS ACTUALLY RECOVERED.~~

~~(B) AN EMPLOYEE OR CONTRACTOR OF FEDERAL, STATE, OR LOCAL GOVERNMENT IS NOT ELIGIBLE FOR AN AWARD UNDER THIS SECTION.~~