

(1) A violation in a congregate housing services program that results in conditions presenting an imminent danger or a substantial probability of death or serious physical harm to a resident of the program;

(2) A violation of a resident's rights as specified in regulations adopted under this article; or

(3) Noncompliance with State or local fire safety regulations.

(b) If the Department issues a notice of a violation under subsection (a) of this section, that notice shall provide:

(1) The time in which a plan of correction that is acceptable to the Department is to be submitted;

(2) The time in which the identified deficiency or deficiencies must be substantially corrected; and

(3) That failure to submit an acceptable plan of correction as required by item (1) of this subsection or to correct the identified deficiency or deficiencies as required by item (2) of this subsection may result in an order imposing a civil money penalty under subsection (d) of this section.

(c) At the expiration of the time set forth in subsection (b)(2) of this section, the Department shall schedule a reinspection of the facility to determine whether the deficiency or deficiencies have been corrected. Following the reinspection the ~~Department~~ SECRETARY, ~~OR THE SECRETARY'S DESIGNEE~~, may:

(1) Extend the time frame in which the deficiency must be corrected; or

(2) ~~Propose imposition of~~ IMPOSE a civil money penalty under subsection (d) of this section.

(d) The ~~Department~~ SECRETARY, ~~OR THE SECRETARY'S DESIGNEE~~, may impose a penalty in the amount of \$20 per violation per resident for each day that a violation remains uncorrected beyond the expiration of the time set forth in subsection (b)(2) of this section. A civil money penalty imposed under this section may not exceed \$1,000 per violation or \$5,000 in total.

(e) (1) A provider of congregate housing services may request a reduction of a civil money penalty ~~imposed by the Department~~.

(2) (i) The request shall be in writing, state the reasons for the request, and be made within 10 days of the provider's receipt of the notice of the imposition of the civil money penalty.

(ii) A request for reduction of a civil money penalty does not interrupt the accrual of the penalties under subsection (d) of this section.

(3) The Department shall hold an informal conference with the provider on the issue of whether to reduce the civil money penalty within 14 days of receipt of the request for reduction under this subsection.