

SUBSECTION, the facility shall provide a written statement to be included in the document of the rights, duties, and liabilities of the signer of the document.

(3) (I) A FACILITY MAY REQUEST AN APPLICANT FOR WHOM A SECOND SIGNATURE CANNOT BE REQUIRED OR SOLICITED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO EXECUTE VALID DURABLE POWERS OF ATTORNEY DESIGNATING AN ATTORNEY IN FACT TO MAKE FINANCIAL, MEDICAL, FUNERAL, AND BURIAL DECISIONS IN THE EVENT OF THE APPLICANT'S DISABILITY.

(II) A FACILITY MAY NOT REQUIRE THE EXECUTION OF A DURABLE POWER OF ATTORNEY AS A CONDITION OR REQUIREMENT OF ADMISSION TO THE FACILITY.

(C) (1) IN THIS SUBSECTION "AGENT" MEANS A PERSON WHO MANAGES, USES, OR CONTROLS THE FUNDS OR ASSETS THAT LEGALLY MAY BE USED TO PAY THE APPLICANT'S SHARE OF THE COSTS OR OTHER CHARGES NOT COVERED BY THE MEDICAL ASSISTANCE PROGRAM.

(2) EXCEPT AS PROVIDED BY THE DEPARTMENT, A FACILITY MAY NOT CHARGE AN APPLICANT WHO IS A MEDICAL ASSISTANCE BENEFICIARY, OR THE APPLICANT'S AGENT, ANY AMOUNT IN ADDITION TO THE AMOUNTS DETERMINED BY THE MEDICAL ASSISTANCE PROGRAM FOR SERVICES THAT ARE COVERED BY MEDICAL ASSISTANCE.

(3) UNLESS OTHERWISE AGREED, THE FINANCIAL OBLIGATION OF THE APPLICANT'S AGENT IS LIMITED TO THE AMOUNT OF THE APPLICANT'S FUNDS THAT ARE CONSIDERED AVAILABLE TO THE AGENT BY THE MEDICAL ASSISTANCE PROGRAM.

(4) A FACILITY MAY REQUIRE THE AGENT OF AN APPLICANT TO AGREE TO DISTRIBUTE ANY FUNDS OF THE APPLICANT TO THE FACILITY, PROMPTLY WHEN DUE, FOR THE COST OF THE APPLICANT'S CARE:

(I) THAT IS NOT COVERED BY THE MEDICAL ASSISTANCE PROGRAM; AND

(II) THAT THE APPLICANT OR THE APPLICANT'S AGENT HAS AGREED TO PAY.

(5) (I) THE AGENT OF AN APPLICANT SHALL SEEK, ON BEHALF OF THE APPLICANT, ALL ASSISTANCE FROM THE MEDICAL ASSISTANCE PROGRAM WHICH MAY BE AVAILABLE TO THE APPLICANT.

(II) THE FACILITY SHALL COOPERATE WITH AND ASSIST THE AGENT IN SEEKING ASSISTANCE FROM THE MEDICAL ASSISTANCE PROGRAM ON BEHALF OF THE APPLICANT.

(6) ANY AGENT WHO WILFULLY VIOLATES THE REQUIREMENTS OF PARAGRAPH (4) OF THIS SUBSECTION REGARDING THE DISTRIBUTION OF