

**CHAPTER 100**

**(Senate Bill 156)**

AN ACT concerning

**Hospitals and Related Institutions – Civil Fines**

FOR the purpose of authorizing the Secretary of Health and Mental Hygiene to impose civil fines against a hospital or related institution for operating without a license, operating in a certain manner without a certain classification, or operating in violation of certain rules and regulations; requiring the Secretary to issue a certain order; permitting a certain operator to appeal the order; providing that the appeal shall be heard in a certain manner; ~~providing that the Secretary's decision shall be the final administrative decision~~; and generally relating to the authority to impose civil fines against hospitals and related institutions.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19-358 and 19-359

Annotated Code of Maryland

(1990 Replacement Volume and 1992 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Health – General**

19-358.

(a) A person may not operate a hospital or related institution unless issued a registration permit or licensed by the Secretary.

(b) A hospital may not provide or hold itself out as providing comprehensive physical rehabilitation services, as defined in § 19-1201 of this title, or operate as a special rehabilitation hospital unless the hospital is classified as a special rehabilitation hospital by the Secretary.

(c) Unless a health care facility is classified as a special rehabilitation hospital by the Secretary, a health care facility may only offer those physical rehabilitation services which are appropriate and necessary to the care, treatment, or support of the acute, chronic disease, or long-term care patient.

(d) (1) 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.

(2) THE SECRETARY MAY IMPOSE A CIVIL MONEY PENALTY NOT TO EXCEED \$10,000 FOR EACH OFFENSE UNDER THIS SECTION.