

~~(4)~~ (5) "HEALTH CARE PROVIDER" MEANS ANY PERSON WHO IS AUTHORIZED TO PRACTICE UNDER THE HEALTH OCCUPATIONS ARTICLE.

~~(5)~~ (6) "HOUSEHOLD" MEANS THE LOCATION:

(I) IN WHICH THE VULNERABLE ADULT RESIDES;

(II) WHERE THE ABUSE OR NEGLECT OF A VULNERABLE ADULT IS ALLEGED TO HAVE TAKEN PLACE; OR

(III) WHERE THE PERSON SUSPECTED OF ABUSING OR NEGLECTING A VULNERABLE ADULT RESIDES.

~~(6)~~ (7) "HOUSEHOLD MEMBER" MEANS AN INDIVIDUAL WHO LIVES WITH, OR IS A REGULAR PRESENCE IN, A HOME OF A VULNERABLE ADULT AT THE TIME OF THE ALLEGED ABUSE OR NEGLECT.

[(4) "Licensed health professional" means an individual licensed under the Health Occupations Article.]

[(5)]~~(7)~~ (8) (i) "Neglect" means the sustaining of serious physical harm by a vulnerable adult as the result of the willful deprivation of adequate food, clothing, essential medical treatment or habilitative therapy, shelter, or supervision.

(ii) "Neglect" does not include the provision of nonmedical remedial care and treatment for the healing of injury or disease, with the consent of the vulnerable adult, recognized by State law instead of medical treatment.

~~(8)~~ (9) (I) "SEXUAL ABUSE" MEANS ANY ACT THAT INVOLVES SEXUAL MOLESTATION OR EXPLOITATION OF A VULNERABLE ADULT BY A CARE GIVER, A PARENT OR OTHER PERSON WHO HAS PERMANENT OR TEMPORARY CARE OR CUSTODY OR RESPONSIBILITY FOR THE SUPERVISION OF A VULNERABLE ADULT, OR BY ANY HOUSEHOLD MEMBER OR FAMILY MEMBER.

(II) "SEXUAL ABUSE" INCLUDES:

1. INCEST, RAPE, OR SEXUAL OFFENSE IN ANY DEGREE;
2. SODOMY; AND
3. UNNATURAL OR PERVERTED SEXUAL PRACTICES.

[(6)]~~(9)~~ (10) "Vulnerable adult" means an adult who lacks the physical or mental capacity to provide for the adult's daily needs.

(b) (1) A ~~care giver~~, A PARENT OR OTHER PERSON WHO HAS PERMANENT OR TEMPORARY CARE OR RESPONSIBILITY FOR THE SUPERVISION OF A VULNERABLE ADULT, OR ANY HOUSEHOLD MEMBER OR FAMILY MEMBER, who causes abuse or neglect of a vulnerable adult is guilty of a ~~misdemeanor~~ **FELONY** and on conviction is subject to ~~a fine not exceeding \$5,000 or~~ imprisonment for not more than ~~5~~ **10** years~~, or both~~.