

(2) EACH WILLFUL OR GROSSLY NEGLIGENT VIOLATION BY A RESIDENT'S AGENT OR LEGAL REPRESENTATIVE OF § 19-345, § 19-345.1, OR § 19-345.2 OF THIS SUBTITLE.

(B) IF A CIVIL MONEY PENALTY IS IMPOSED UNDER THIS SECTION, THE FACILITY OR AGENT OR LEGAL REPRESENTATIVE OF THE RESIDENT SHALL HAVE THE RIGHT TO APPEAL FROM AN ORDER IMPOSING THE CIVIL MONEY PENALTY IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) A RESIDENT, RESIDENT'S AGENT, OR RESIDENT'S ATTORNEY, OR THE ATTORNEY GENERAL ON BEHALF OF THE RESIDENT, WHO BELIEVES THAT AN INVOLUNTARY DISCHARGE OR TRANSFER THAT VIOLATES THE REQUIREMENTS OF § 19-345, § 19-345.1, OR § 19-345.2 OF THIS SUBTITLE IS IMMINENT OR HAS TAKEN PLACE MAY REQUEST INJUNCTIVE RELIEF FROM CIRCUIT COURT.

19-346.

(a) (2) "Abuse of funds" means [spending money] USING THE ASSETS OR INCOME of a resident:

(i) Against the express wish of the resident, if the expenditure was not necessary for the direct and immediate benefit and welfare of the resident; or

(ii) For the use or benefit of a person other than the resident if the expenditure is not also for the direct and immediate benefit of the resident or consistent with an express wish and past behavior of the resident.

(n) (1) A person, INCLUDING THE LEGAL REPRESENTATIVE OF THE RESIDENT, may not use [money] THE ASSETS OR INCOME of a resident for any purpose that is not authorized by the resident [or], a designee or LEGAL REPRESENTATIVE, INCLUDING A representative payee of the resident.

(o) (1) If there is an abuse of funds, a person who misused the money is guilty of a misdemeanor and on conviction is subject to a fine not exceeding [500] \$10,000.

(2) Any person who violates another provision of this section is subject to a fine of [500] \$10,000.

Article 27 - Crimes and Punishments

35D.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) "Abuse" means the sustaining of any physical PAIN OR injury by a vulnerable adult as a result of cruel or inhumane treatment or as a result of a malicious act 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 or family member under circumstances that indicate that the vulnerable adult's health or welfare is harmed or threatened.

(ii) "Abuse" includes the sexual abuse of a vulnerable adult.