

(2) Propose the imposition of a civil money penalty pursuant to § 19-1404.]

[[19-1404.] 19-1403.

(a) If a civil money penalty is proposed, the Secretary shall issue an order which shall state the basis on which the order is made, the deficiency or deficiencies on which the order is based, the amount of civil money penalties to be imposed, and the manner in which the amount of civil money penalties imposed was calculated.

(b) An order issued pursuant to subsection (a) of this section shall be void unless issued within 60 days of [the later of:

(1) The] THE inspection OR REINSPECTION at which the deficiency is identified[;].

[(2) The date identified in § 19-1403(a)(2); or

(3) The date identified in § 19-1403(c)(1).]

[19-1405.] 19-1404.

[(a) A civil money penalty imposed under this subtitle:

(1) May not exceed a total of \$5,000 per day in which serious or life threatening deficiencies exist; and

(2) May not exceed \$50,000 in total.]

(A) A CIVIL MONEY PENALTY IMPOSED UNDER THIS SECTION FOR POTENTIAL FOR MORE THAN MINIMAL HARM DEFICIENCIES:

(1) MAY NOT EXCEED \$10,000 PER INSTANCE; AND OR

(2) MAY NOT EXCEED \$1,000 PER DAY FOR AN ONGOING PATTERN OF DEFICIENCIES UNTIL THE NURSING HOME IS IN COMPLIANCE.

(B) A CIVIL MONEY PENALTY IMPOSED UNDER THIS SUBTITLE FOR ACTUAL HARM DEFICIENCIES:

(1) MAY NOT EXCEED \$10,000 PER INSTANCE; OR

(2) MAY NOT EXCEED \$5,000 PER DAY, DAY FOR AN ONGOING PATTERN OF DEFICIENCIES UNTIL THE NURSING HOME IS IN COMPLIANCE.

(C) A CIVIL MONEY PENALTY IMPOSED UNDER THIS SECTION FOR A SERIOUS AND IMMEDIATE THREAT:

(1) MAY NOT EXCEED \$10,000 PER INSTANCE; AND OR

(2) MAY NOT EXCEED \$10,000 PER DAY FOR AN ONGOING PATTERN OF DEFICIENCIES UNTIL THE NURSING HOME IS IN COMPLIANCE.