

A PERSON MAY NOT MAINTAIN OR OPERATE A FACILITY OFFERING CONTINUING CARE WITHOUT HAVING OBTAINED AN INITIAL OR RENEWAL CERTIFICATE OF REGISTRATION.

(B) PROHIBITED ADVERTISING.

A PERSON MAY NOT DISSEMINATE PROHIBITED ADVERTISING OR PROMOTIONAL MATERIALS.

(C) FALSIFIED REGISTRATION INFORMATION.

A PERSON MAY NOT PROVIDE FALSE REGISTRATION INFORMATION TO THE DEPARTMENT.

(D) PENALTIES.

(1) A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

(2) EACH VIOLATION OF THIS SUBTITLE CONSTITUTES A SEPARATE OFFENSE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 70B, § 18.

Throughout this section, the former references to an "association, or corporation" are deleted as included in the defined term "person".

In subsection (b) of this section, the reference to "promotional materials" is substituted for the former reference to "circulars" for consistency with terminology used in Parts II and VI of this subtitle.

Defined terms: "Continuing care" § 10-401

"Department" § 10-101

"Facility" § 10-401

"Person" §§ 1-101, 10-401

10-497. CIVIL MONEY PENALTIES.

(A) AUTHORITY OF SECRETARY.

THE SECRETARY MAY IMPOSE A CIVIL MONEY PENALTY AGAINST A PROVIDER FOR AN ACTION OR INACTION THAT VIOLATES THIS SUBTITLE OR ANY REGULATION ADOPTED BY THE DEPARTMENT UNDER THIS SUBTITLE.

(B) NOTICE OF VIOLATION.

(1) BEFORE IMPOSING A CIVIL MONEY PENALTY UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT SHALL ISSUE A NOTICE OF VIOLATION TO THE PROVIDER.

(2) THE NOTICE SHALL STATE: