

(2) The time in which the identified deficiency or deficiencies must be substantially corrected; and

(3) That failure to submit an acceptable plan of correction pursuant to paragraph (1) of this subsection or to substantially correct the identified deficiency or deficiencies pursuant to paragraph (2) of this subsection may result in an order imposing a civil money penalty pursuant to § 19-1404.

(b) At the expiration of the time set forth in subsection (a)(2) of this section, the Department shall schedule a reinspection of the nursing facility to determine whether the deficiency or deficiencies have been substantially corrected.

(c) Following the reinspection the Department may:

- (1) Extend the time frame in which the deficiency must be corrected; or
- (2) Propose the imposition of a civil money penalty pursuant to § 19-1404.

19-1404.

(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 inspection 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.

(a) A civil money penalty imposed under this [section] SUBTITLE:

(1) [may] MAY not exceed a total of \$5,000 per day in which serious or life threatening deficiencies exist; AND

[(b)] (2) [A civil money penalty imposed under this section may] MAY not exceed \$50,000 in total.

[(c)] (B) In setting the amount of a civil money penalty under this section, the Secretary shall consider, pursuant to guidelines set forth in regulations promulgated by the Secretary, the following factors:

- (1) The number, nature, and seriousness of the deficiencies;
- (2) The degree of risk to the health, life, or safety of the residents of the nursing facility caused by the deficiency or deficiencies;