

(II) THE AGENCY WHICH RECEIVES THE COMPLAINT SHALL MAKE SUCH INVESTIGATION AS IT DEEMS APPROPRIATE, AND SHALL GIVE THE ALLEGED ABUSER A SPECIFICATION OF THE ALLEGED ABUSE AND AN OPPORTUNITY TO REPLY TO THE CHARGES WHICH HAVE BEEN MADE. UPON A REQUEST BY THE DIRECTOR ON AGING OR THE LOCAL DEPARTMENT OF SOCIAL SERVICES, THE LOCAL STATE'S ATTORNEY SHALL ASSIST IN THE INVESTIGATION.

(III) IF AT THE COMPLETION OF ITS INVESTIGATION, THE LOCAL DEPARTMENT OF SOCIAL SERVICES OR THE DIRECTOR ON AGING FINDS THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT THERE HAS BEEN AN ABUSE OF FUNDS, HE OR SHE MAY DO EITHER OR BOTH OF THE FOLLOWING:

(1) REFER THE MATTER TO THE STATE'S ATTORNEY FOR APPROPRIATE ACTION; OR

(2) INSTITUTE A CIVIL SUIT ON BEHALF OF THE PATIENT FOR RECOVERY OF THE MISUSED FUNDS, COSTS, AND ATTORNEYS' FEES.

(IV) ANY PERSON PARTICIPATING IN THE MAKING OF A GOOD FAITH COMPLAINT PURSUANT TO THIS SECTION OR PARTICIPATING IN AN INVESTIGATION OR IN A JUDICIAL PROCEEDING RESULTING THEREFROM SHALL IN SO DOING BE IMMUNE FROM ANY CIVIL LIABILITY OR CRIMINAL PENALTY THAT MIGHT OTHERWISE BE INCURRED OR IMPOSED AS A RESULT THEREOF.

(G) PATIENT MONEYS MAY NOT BE USED FOR ANY PURPOSE NOT AUTHORIZED BY THE PATIENT OR THE PERSON DESIGNATED BY THE PATIENT TO HANDLE THESE FUNDS, OR THE PATIENT'S REPRESENTATIVE PAYEE.

(H) (1) IF A PATIENT WISHES TO ENTRUST MONEY TO A FACILITY, BUT THE FACILITY IS UNABLE TO SECURELY MAINTAIN THE MONEY, THEN THE FACILITY SHALL DEPOSIT THE MONEY IN A BANK. HOWEVER, A COUNTY OR STATE HEALTH FACILITY MAY DEPOSIT THE MONEY OF A PATIENT WITH THE COUNTY OR STATE TREASURER.

(2) THE PATIENT MAY OBTAIN THESE FUNDS UPON REQUEST DURING THE BUSINESS HOURS OF THE FACILITY AND WITHIN THREE BANKING DAYS FOR FUNDS KEPT IN A BANK, OR WITH THE STATE OR COUNTY TREASURER.

(I) (1) IF THE AGGREGATE AMOUNT OF MONEY ENTRUSTED TO A FACILITY EXCEEDS THE SUM OF \$10 PER PATIENT, THEN ALL MONEY IN EXCESS OF THAT SUM OR IN EXCESS OF \$500, WHICHEVER IS LESS, SHALL BE DEPOSITED IN AN ACCOUNT AS SPECIFIED IN SUBSECTION (H) (1). THE ACCOUNT SHALL BE DESIGNATED "GENERAL FUND OF THE PARTICIPATING RESIDENTS OF THE (NAME OF FACILITY)". THE FACILITY MAY ESTABLISH SEPARATE BANK ACCOUNTS FOR ANY OF ITS RESIDENTS. AN INDIVIDUAL WHO ENTRUSTS SUMS IN EXCESS OF \$100 TO THE FACILITY SHALL HAVE AN INTEREST BEARING ACCOUNT MAINTAINED IN THAT INDIVIDUAL'S OWN NAME EXCEPT WHERE A FACILITY IS OPERATED BY A STATE, COUNTY OR MUNICIPAL AGENCY, IN WHICH EVENT ONLY THE FUNDS OF