

EACH PATIENT IN EXCESS OF \$300 MUST BE PLACED IN INTEREST BEARING ACCOUNTS IN THE NAME OF THE INDIVIDUAL PATIENT OR BE PLACED IN AN AGGREGATE ACCOUNT OF THE GOVERNMENT'S TREASURER TO WHICH SUBSIDIARY INDIVIDUAL PATIENT ACCOUNTS ARE TO BE MAINTAINED. THE TREASURER SHALL CREDIT THE AGGREGATE ACCOUNT WITH INTEREST AT A RATE EQUAL TO THE AVERAGE RATE OF INTEREST EARNED BY THE GOVERNMENT'S SHORT TERM INVESTMENTS. SUCH INTEREST SHALL BE DISTRIBUTED TO THE SUBSIDIARY INDIVIDUAL PATIENT ACCOUNTS IN THE SAME PROPORTION THAT EACH ACCOUNT BEARS TO THE TOTAL OF ALL SUCH ACCOUNTS. ALL INTEREST EARNED BY PATIENTS' FUNDS SHALL BE CREDITED TO THE INDIVIDUAL PATIENTS.

(2) A LICENSED EMPLOYEE OF THE HOME MAY BE GIVEN A LIMITED POWER OF ATTORNEY FOR ANY INDIVIDUAL ACCOUNT. THE DEPARTMENT SHALL PRESCRIBE A FORM TO BE USED FOR THE LIMITED POWER OF ATTORNEY.

(J) THE COST OF ESTABLISHING AND SERVICING PATIENT FUND ACCOUNTS AS REQUIRED BY THIS ACT, FOR PRIVATE, STATE, AND FEDERALLY FUNDED PATIENTS, MAY BE ADDED TO THE OTHER COSTS OF OPERATING THE FACILITY AND RECOVERED THROUGH THE PER DIEM OR MONTHLY CHARGE FOR CARE OR IN COMPLIANCE WITH THE REGULATIONS PROMULGATED BY THE SECRETARY OF HEALTH, EDUCATION AND WELFARE IN ACCORDANCE WITH FEDERAL PUBLIC LAW 95-142.

(K) UPON DISCHARGE OF A PATIENT, ALL MONEY OF THAT PATIENT WHICH IS ENTRUSTED TO THE FACILITY SHALL BE SURRENDERED TO THE PATIENT OR THE PERSON DESIGNATED BY THE PATIENT IN EXCHANGE FOR A SIGNED RECEIPT. IF THE INSTITUTION HAS BEEN DESIGNATED REPRESENTATIVE PAYEE FOR THE PURPOSE OF RECEIVING SOCIAL SECURITY FUNDS FOR THE USE AND BENEFIT OF THE PATIENT, THE INSTITUTION SHALL TAKE PROMPT STEPS TO HAVE THIS DESIGNATION CHANGED, AND TO TRANSFER THE ENTRUSTED FUNDS TO THE NEW REPRESENTATIVE PAYEE, EXCEPT WHERE THE PATIENT HAS BEEN TRANSFERRED TEMPORARILY TO AN ACUTE CARE FACILITY. MONEY KEPT WITHIN THE FACILITY SHALL BE SURRENDERED UPON DEMAND AND MONEY KEPT IN A BANK ACCOUNT OR WITH THE COUNTY OR STATE TREASURER SHALL BE AVAILABLE WITHIN THREE NORMAL BANKING DAYS.

(L) IF A PATIENT OF A FACILITY HAS NOT RESIDED AT THE FACILITY FOR A PERIOD OF THREE MONTHS, THE FACILITY MAY NOT CONTINUE TO HOLD ANY MONEY OR OTHER VALUABLES ENTRUSTED TO IT BY THAT PATIENT, UNLESS THE FACILITY HAS WRITTEN NOTICE FROM THE PATIENT OR THE ATTENDING PHYSICIAN THAT THE PATIENT IS EXPECTED TO BE READMITTED AND DESIRES THAT THE FACILITY CONTINUE TO HOLD SUCH MONEY OR VALUABLES. THE FACILITY SHALL MAKE REASONABLE ATTEMPTS TO LOCATE THE PATIENT, PERSONAL REPRESENTATIVE, OR HEIRS.

~~(M) (1) IF WITHIN THREE MONTHS THE FACILITY HAS BEEN UNABLE TO LOCATE THE PATIENT, PERSONAL REPRESENTATIVE, OR HEIRS, THE FACILITY SHALL TRANSFER ALL MONEY, INCLUDING ANY INTEREST ACCRUED, IN AN ACCOUNT, OR OTHER VALUABLES IT HOLDS FOR THAT PERSON, TO AN ESCROW ACCOUNT ADMINISTERED BY THE STATE OFFICE OF THE COMPTROLLER.~~