

(9) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of the report, or induces another to fail to file or record the report;

(10) Submits a false statement to collect a fee;

(11) Commits an act of unprofessional conduct in the licensee's practice as a nursing home administrator; or

(12) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive.

9-314.1.

(A) (1) IF, AFTER A HEARING UNDER § 9-315 OF THIS SUBTITLE, THE BOARD FINDS THAT THERE ARE GROUNDS UNDER § 9-314 OF THIS SUBTITLE TO REPRIMAND A LICENSEE, PLACE A LICENSEE ON PROBATION, OR SUSPEND OR REVOKE A LICENSE, THE BOARD MAY IMPOSE A CIVIL FINE ~~NOT EXCEEDING \$10,000~~:

~~(1)~~ (I) INSTEAD OF SUSPENDING OR REVOKING THE LICENSE; OR

~~(2)~~ (II) IN ADDITION TO PLACING THE LICENSEE ON PROBATION OR SUSPENDING OR REVOKING THE LICENSE.

(2) A CIVIL FINE IMPOSED UNDER THIS SUBSECTION MAY NOT EXCEED:

(I) \$1,000 FOR A FIRST VIOLATION; AND

(II) \$5,000 FOR ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION.

(B) IF, AFTER DISCIPLINARY PROCEDURES HAVE BEEN BROUGHT AGAINST A LICENSEE, THE LICENSEE WAIVES THE RIGHT TO A HEARING REQUIRED UNDER THIS SUBTITLE AND IF THE BOARD FINDS THAT THERE ARE GROUNDS UNDER § 9-314 OF THIS SUBTITLE TO REPRIMAND THE LICENSEE, PLACE THE LICENSEE ON PROBATION, OR SUSPEND OR REVOKE A LICENSE, THE BOARD, IN ADDITION TO REPRIMANDING THE LICENSEE, PLACING THE LICENSEE ON PROBATION, OR SUSPENDING OR REVOKING THE LICENSE, MAY IMPOSE:

(1) A CIVIL FINE NOT EXCEEDING ~~\$10,000~~ \$1,000 FOR EACH A FIRST VIOLATION IN ADDITION TO REPRIMANDING THE LICENSEE, PLACING THE LICENSEE ON PROBATION, OR SUSPENDING OR REVOKING THE LICENSE; AND

(2) A CIVIL FINE NOT EXCEEDING \$5,000 FOR ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION.

(C) THE BOARD SHALL PAY ANY CIVIL FINE COLLECTED UNDER THIS SECTION INTO THE GENERAL FUND OF THE STATE.