

title: "Police"), such employees may arrest and return to the facility escaped patients, and may be utilized to protect persons or property at the facility.

33. Licensing of Private Facilities.

(a) No private facility shall admit, receive or detain any patients having any mental disorder for the purpose of care or treatment of such disorder unless it is licensed to do so by the Department.

(b) The Secretary shall from time to time adopt rules and regulations for the licensing of such facilities toward the end that care and treatment of patients shall be provided in accordance with Section 2 of this Article. Licensing provided for in this subtitle shall be in addition to licensing required by Article 43 of this Code.

(c) Applications for licenses shall be made to the Department in such form and supply such detail as it may from time to time require.

(d) Upon receipt of an application for licensing, the Department shall promptly undertake an investigation of the applicant. If it finds that the applicant meets the requirements of its rules and regulations established under subsection (b) above, it shall grant the license.

34. Inspection.

The Department shall inspect each licensed facility at least once every six months and shall make such additional inspections as it deems necessary. Reports of such inspections shall be retained by the Department and any deficiencies shall be brought to the attention of the management of the facility involved.

35. Suspension, Revocation and Refusal.

(a) The Department shall have the right and duty to revoke or suspend licenses, or to refuse to grant licenses, to facilities that fail to comply with applicable rules and regulations and the applicable laws of the State.

(b) In the event the Department suspends, revokes or refuses to issue a license, the person aggrieved may appeal to the Board of Review of the Department of Health and Mental Hygiene and may take such further appeal as is allowed by the Administrative Procedure Act.

36. Penalties.

(a) Any facility which admits, receives or detains any person in violation of Section 33 of this subtitle, while its license is revoked or suspended, or in the event that it has no license, is guilty of a misdemeanor and, if convicted, may be fined an amount not to exceed \$10,000.

(b) Any employee, officer or director of a facility, or other person, who knowingly participates in a violation of subsection (a) above is guilty of a misdemeanor and upon conviction thereof, may be fined an amount not to exceed \$5,000, or imprisoned for a period not to exceed one year or both.