

§8755. Compliance

1. Oversight. The division shall place primary emphasis on ensuring effective corrective action by the facility.

[PL 2009, c. 358, §7 (NEW).]

2. Penalties. When the division determines that a health care facility failed to report a sentinel event pursuant to this chapter, the health care facility is subject to a penalty imposed in conformance with Title 5, chapter 375, subchapter 4 and payable to the State of not more than \$10,000 per violation. If the facility in good faith notified the division of a suspected sentinel event and the division later determines it is a sentinel event, the facility is not subject to a penalty for that event. Funds collected pursuant to this section must be deposited in a dedicated special revenue account to be used to support sentinel event reporting and education.

[PL 2009, c. 358, §7 (NEW).]

3. Administrative hearing and appeal. To contest the imposition of a penalty under this section, a health care facility must submit to the division a written request for an administrative hearing within 10 days of notice of imposition of a penalty pursuant to this section. Judicial appeal must be in accordance with Title 5, chapter 375, subchapter 7.

[PL 2009, c. 358, §7 (NEW).]

4. Injunction. Notwithstanding any other remedies provided by law, the Office of the Attorney General may seek an injunction to require compliance with the provisions of this chapter.

[PL 2009, c. 358, §7 (NEW).]

5. Enforcement. The Office of the Attorney General may file a complaint with the District Court seeking injunctive relief for violations of this chapter.

[PL 2009, c. 358, §7 (NEW).]

SECTION HISTORY

PL 2001, c. 678, §1 (NEW). PL 2001, c. 678, §3 (AFF). PL 2009, c. 358, §7 (RPR).

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