**Section 965.240 Fines and Penalties**

a) If the Department determines to impose a penalty or fine under Section 40 of the Act and this Part, the Department shall issue a notice of fine assessment.

b) Each notice of fine assessment shall include each of the following items:

1) A description of the violation or violations for which the fine is assessed.

2) The *amount of the fine as determined* under Section 965.230 of this Part, *which may be up to $1000 for the first violation and up to $5000 for each subsequent offense.* (Section 40 of the Act)

3) A description of the manner in which the health care plan, health care entity, hospital, or health care professional may contest the fine assessment and the right to a hearing under the Department's Rules of Practice and Procedure in Administrative Hearings.

c) If the health care plan, health care entity, hospital or professional cited under this Section does not comply with a written demand for payment within 30 days, the Director shall issue an order to certify to the Comptroller that the delinquent fines are due and owing from the licensee. The certification shall include any amounts due and owing as a result of a civil action pursuant to Section 40 of the Act. The Department shall send notice of the certification to the licensee and to any other person known to the Department who may be affected by the certification.