§ 32.21 Suspension, revocation, or limitation of operating certificates and imposition of fines.

(a) The commissioner may revoke, suspend, or limit an operating certificate upon a determination that the holder of the certificate has failed to comply with the terms of its operating certificate or with the provisions of any applicable statute, rule, or regulation. The holder of the certificate shall be given notice and an opportunity to be heard prior to any such determination.

(b) The commissioner may impose a fine of up to one thousand dollars upon a finding that the holder of the certificate has failed to comply with the terms of its operating certificate or with the provisions of any applicable statute, rule or regulations.

(c) The penalty provided for in subdivision (b) of this section may be recovered by an action brought by the commissioner in any court of competent jurisdiction.

(d) Such penalty may be released or compromised by the commissioner before the matter has been referred to the attorney general, and where such matter has been referred to the attorney general, any such penalty may be released or compromised and any action commenced to recover the same may be settled or discontinued by the attorney general with the consent of the commissioner.

(e) It shall be the duty of the attorney general upon the request of the commissioner to bring an action for an injunction against any person who violates, disobeys or disregards any term or provision of this chapter or of any lawful notice, order or regulation pursuant thereto; provided, however, that the commissioner shall furnish the attorney general with such material, evidentiary matter or proof as may be requested by the attorney general for the prosecution of such an action.

(f) Pending a determination pursuant to the foregoing subdivisions, the commissioner may, upon written notice to the holder thereof, suspend an operating certificate for not more than thirty days if he or she has reasonable grounds for finding that the continued operation of the facility presents an immediate danger to the health and welfare of the public or of any of the persons receiving the services.

(g) The commissioner shall promulgate rules and regulations establishing procedures for the imposition of fines, and suspension, revocation or limitation of operating certificates.