§ 588. Violations and penalties. 1. Any health services purveyor, clinical laboratory, or any agent, employee or fiduciary of a health services purveyor or clinical laboratory who violates the provisions of section five hundred eighty-six of this title, or any rule or regulation adopted pursuant thereto, is guilty of a class A misdemeanor and shall be punishable in accordance with the provisions of the penal law.

2. Any health services purveyor, clinical laboratory, or any agent, employee or fiduciary of a health services purveyor or clinical laboratory who violates the provisions of section five hundred eighty-seven of this title, or any rule or regulation adopted pursuant thereto, is guilty of a misdemeanor and shall be punishable by:

(a) a term of imprisonment in accordance with the penal law; or

(b) a fine of not less than five hundred dollars nor more than ten thousand dollars; or

(c) if the defendant has gained money or property through a violation of the provisions of this section, a fine in an amount, fixed by the court, not to exceed double the amount of the defendant's gain from a violation of such provisions. In such event, the provisions of subdivision three of section 80.00 of the penal law shall be applicable to the sentence; or

(d) both the imprisonment and the fine.