

or change the terms thereof, as circumstances may justify. In arriving at the amount to be paid, the Department shall have due regard for the financial means or abilities of the patient or the person or persons legally responsible for such patient's maintenance and support and whenever deemed necessary, may agree to accept a periodic sum for such patient's maintenance less than the per capita cost. Upon failure of a patient or other legally responsible person to make payment ~~or enter into an agreement to make payment~~, the Department of Mental Hygiene shall notify the Attorney General and he shall institute proceedings on behalf of the Department for collection thereof, with authority to make adjustments or settlements of said claims as he feels to be in the best interest of the State.

(e) Claims for balance due on death of persons committed.

Upon the death of any person committed to any of the said institutions as aforesaid, the Department of Mental Hygiene shall be entitled to make claim against the estate of any such person for his or her maintenance and support while in such institution, or for the balance due therefor if part has been paid. *A claim under this subsection shall not include any maintenance and support for a period longer than the ~~five~~ THREE years immediately preceding the death of the person committed; except that if the person committed or any relative liable for his* SUCH COMMITTED PERSON'S maintenance and support in any such institution has misrepresented assets or submitted fraudulent information, and by so doing has avoided such a claim or a part of such a claim, for the person's maintenance and support, there shall be ~~no period of limitations~~ A PERIOD OF LIMITATIONS OF SIX YEARS on the claim against the estate. Such claim shall constitute a preferred claim against the estate of any such person, and all claims arising hereunder against the relatives and other persons legally chargeable with the maintenance and support of such inmates, shall constitute preferred claims against the estate of the person committed. All such claims may be waived by the Department of Mental Hygiene, in its discretion, if in its judgment the enforcement of the same will result in hardship to others, dependent upon those against whom such claims exist. All payment received as a result of the enforcement of such claims shall be accounted for and paid as hereinbefore provided.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1961.

Approved February 27, 1961.

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## CHAPTER 8

(Senate Bill 8)

AN ACT to repeal and re-enact, with amendments, Section 26 (b) of Article 73B of the Annotated Code of Maryland (1957 Edition),

**EXPLANATION:** *Italics indicate new matter added to existing law.*  
 [Brackets] indicate matter stricken from existing law.  
 CAPITALS indicate amendments to bill.  
**Strike out** indicates matter stricken out of bill.