

TITLE "LUNATICS AND INSANE," SUBTITLE "LUNATIC OR INSANE PAUPERS," TO FOLLOW IMMEDIATELY AFTER SECTION 5 (A) THEREOF TO ADD NEW SECTIONS 601(E-1) AND 601(E-2) TO SAID ARTICLE AND SUBTITLE (1957 EDITION AND 1962 SUPPLEMENT); that Section 44 of Article 59 of said Code (1962 Supplement), title "Lunatics and Insane," subtitle "Department of Mental Hygiene," be and it is hereby repealed and re-enacted, with amendments; and all to read as follows:

Article 43

601.

(c) If as a result of such investigation, the collection unit shall determine that such person, his or her relatives, or other persons shall be required to pay for his or her care or a part thereof, it shall specify the amount of such payments to be made, which shall not exceed the average per diem cost of maintaining a patient in such hospital, and the times when the same are to be made. Such average per diem cost shall be determined annually by the State Comptroller and the State Budget Director between September 1 and December 1. *The collection unit is authorized to set the rate of payments retroactively to become effective as of the date of admission to the hospital or as of the date of beginning the investigations of the financial condition of the patient and of other persons legally chargeable for his maintenance and support, whichever is the later date; but the effective date may not be set more than six months prior to the date of the order unless there has been a failure on the part of the patient's guardian or committee or other persons legally chargeable with his maintenance and support, to file the financial reports or statements required by the collection unit.* The collection unit shall have the power to require the relatives of any such person or others legally chargeable with his or her care, to enter into appropriate and binding agreements with respect to the making of such payments, and may from time to time modify or change the terms thereof, as the circumstances may justify. In arriving at the amount to be paid, the collection unit shall have due regard for the financial means or abilities of the patient, or the person or persons legally responsible for the patient's maintenance and support, and whenever deemed necessary, may agree to accept a periodic sum for the 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 collection unit shall notify the Attorney General and he shall institute proceedings on behalf of the unit for collection thereof with authority to make adjustment or settlements of said claims as he feels to be in the best interest of the State.

(c-1) *It is the intent of this sub-title that a husband may be liable for the support of a wife while she is an inmate of any such hospital; a wife, for a husband; a father or mother, or both, for a son or daughter; and a son or daughter, or both, for a father or mother. However, no liability under this subtitle shall be placed upon any son or daughter for the support of a father or mother by whom the son or daughter was abandoned; and no liability under this subtitle shall be placed upon any husband or wife for the support of a spouse by whom the husband or wife has been abandoned. The State Board of Health and Mental Hygiene shall promulgate rules and regulations pursuant to the Administrative Procedures Act in Article 41 of this Code, pro-*