

case may be, shall as herein specified pay to the Department of Mental Hygiene at the rate of one hundred and twenty-five dollars (\$125.00) annually for the board, care and treatment of such patient, and the remaining amount required for the board, care and treatment of such insane shall be paid from the treasury of the State. The expense for the care, board and treatment of all patients in the State institution under the jurisdiction of the Department of Mental Hygiene shall be a charge upon each county sending such patient or patients to such institutions, as hereinafter provided. The Department of Mental Hygiene shall credit the account of each county, for any patient, with any amounts actually collected and received by the Department from or for that patient, whether received from himself, his relatives, others legally chargeable with his maintenance and support or others; [the credit allowed to the county in any one year, for any one patient, not to exceed the amount paid by the county for that patient's maintenance and support] and the credit allowed to the county for each patient shall be computed according to the formula in subsection (e) (B).

(b) The Department 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 the beginning the investigation of the financial condition of the patient and of other persons legally chargeable for his maintenance and support, whichever is the earlier 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, 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 Department has the power to require the relatives of any such person or others legally chargeable with his or her care, and to make appropriate and binding agreements with respect to the making of such payments; and from time to time as circumstances may justify the Department may modify or change the terms of this agreement. In arriving at the amount to be paid, the Department shall have due regard for the financial means or ability of the patient, for the person or persons legally responsible for the patient's maintenance and support, and whenever deemed necessary the Department may agree to accept a periodic sum for the patient's maintenance which is less than the per capita cost. Upon failure of a patient or other legally responsible person to make payment or to enter into an agreement to make payment, the Department shall notify the Attorney General, and he shall institute proceedings on behalf of the Department for collection thereof with authority to make adjustment or settlement of said claims as he feels to be in the best interests of the State.

(e) (B) From the money received in any year from or on behalf of a patient, the Department first shall credit the account of the county for the total of its payment for that patient for that current year; and next (to the extent that sufficient funds remain) there shall be allocated to the credit of general funds of the State an amount which, together with the payment to the county for that current year, equals the total amount of payment set for the board, care and treatment of the particular patient for that current year. When the foregoing allocations are made, and to the extent that additional funds remain, the Department next shall credit the account of the county for the total of its payment for that patient for the next preceding year, and