

THE ACT WHICH CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISIONS OR APPLICATION, AND TO THIS END ALL THE PROVISIONS OF THIS ACT ARE DECLARED TO BE SEVERABLE.

SEC. 2. 4. *And be it further enacted*, That this Act shall take effect July 1, 1971.

Approved May 24, 1971.

CHAPTER 631

(Senate Bill 9)

AN ACT to repeal Section 45 of Article 59 of the Annotated Code of Maryland (1968 Replacement Volume and 1970 Supplement), title "Mental Hygiene," subtitle "Financing of Mental Health Services," and to enact new Section 45 in lieu thereof, to stand in the place of the section so repealed, to repeal the requirement that the counties of the State pay a specific sum annually to the State for the care of patients in State mental health facilities, to repeal related provisions providing for the handling and disposition and crediting to local accounts of monies recovered for the cost of patient care, and to restate the responsibility of the State, the patient and others for payment of the cost of care of patients in mental health facilities.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 45 of Article 59 of the Annotated Code of Maryland (1968 Replacement Volume and 1970 Supplement), title "Mental Hygiene," subtitle "Financing of Mental Health Services," be and it is hereby repealed, and that new Section 45 be and it is hereby enacted in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

45.

[(a) Each county shall pay the sum of \$125.00 annually for the care of each patient in any public facility, who, immediately prior to his admission, was a resident of that county. The remainder of the patient's cost of care shall be the responsibility of the State. The expense charged to each county under this subsection shall be credited with payments received from each such patient, or others on his behalf.

(b) When funds are received from, or on behalf of, a patient, they shall be credited first to that portion of the patient's cost of care paid by his county of residence during the fiscal year in which the payment is received. They shall next be credited to the general funds of the State, until credit to the State equals that portion of the patient's cost of care paid by the State. In like manner, payments received shall be credited first to the county, then to the State, for the years preceding the current fiscal year, starting with the year immediately preceding the current fiscal year.

(c) The Department shall periodically furnish to the governing body of each county, a statement listing the names of each patient