

(d) Each legally liable person shall elect which schedule he is to be billed under on forms to be furnished by the Secretary of Health and Mental Hygiene, the election to become effective as of the beginning of the next succeeding calendar year. Any election shall remain in force until modified by the legally liable person and any modification shall become effective at the beginning of the calendar year next succeeding the year during which it is made. If a legally liable person fails to elect within the time limited, the Secretary shall determine which schedule to apply.

(e) For purposes of this subsection both parents of a patient shall be considered a single legally liable relative. Liability of legally liable relatives, as such, for the support of a patient in a state residential facility for the retarded shall cease when the patient has reached the age of twenty-one or when support has been charged for a period or periods amounting to sixteen years, whichever occurs sooner.

SECTION 2. AND BE IT FURTHER ENACTED, That Section 25 of Article 59A of said Code (1972 Supplement) title "Mental Retardation," subtitle "Financing of Services for the Mentally Retarded," be and it is hereby repealed, and that new Section 25 be and it is hereby enacted in lieu thereof to stand in the place of the Section so repealed and all to read as follows:

25.

(a) The Department shall fix a rate to be charged to all mentally retarded persons admitted to public facilities, not to exceed the actual cost of care, per capita, of such persons. The cost per capita shall be determined annually prior to the beginning of the fiscal year, by the Department and the Secretary of the State Department of Budget and Fiscal Planning.

(b) In the case of mentally retarded persons who have been continuously hospitalized for a period in excess of thirty months, in any one or more public facilities, the rate to be charged to the responsible relatives of the mentally retarded person, where payment has been made for the first thirty months' hospitalization, shall thereafter not exceed 25% of the per capita cost. Continuous hospitalization shall mean and include all hospitalization where successive periods of inpatient care are not separated by absences in excess of one year.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PERSON WHO IS FINANCIALLY RESPONSIBLE FOR THE MAINTENANCE OF A MENTALLY RETARDED PERSON IN A STATE INSTITUTION OR OTHER FACILITY FROM WHICH THE STATE PROCURES RESIDENTIAL CARE SHALL BE CHARGED IN ACCORDANCE WITH EITHER OF THE FOLLOWING SCHEDULES, AT THE OPTION OF THE LEGALLY LIABLE PERSON.

Gross Mo. Schedule Based on Gross Monthly Income
Income

More Than	Less Than	2 Dep.	3 Dep.	4 Dep.	5 Dep.	6 Dep.	7 Dep.	8 Dep.
\$ 500-	575	\$16.00	\$----	\$----	\$----	\$----	\$----	\$----
575-	650	22.40	16.00	-----	-----	-----	-----	-----
650-	725	25.60	22.40	19.20	16.00	-----	-----	-----
725-	800	32.00	28.80	22.40	19.20	16.00	-----	-----
800-	875	35.20	32.00	28.80	25.60	22.40	16.00	-----
875-	950	43.20	39.20	35.20	32.00	25.60	22.40	19.20