

7.

(f) The DEPARTMENT OF BUDGET AND FISCAL PLANNING, CENTRAL COLLECTION UNIT, ON BEHALF OF THE Public Defender AND in the name of the State shall do all things necessary and proper to collect all moneys due to the State by way of reimbursement for services rendered pursuant to this article. [He may enter into arrangements with one or more agencies of the State or of the counties to handle said collections on a cost basis to the extent that such arrangements are calculated to simplify collection procedures. He may institute any proceedings necessary for the collection of such moneys in the appropriate courts.]

SECTION 3. AND BE IT FURTHER ENACTED, That Section 601 of Article 43 of the Annotated Code of Maryland (1971 Replacement Volume and 1972 Supplement), title "Health," subtitle "Chronic Hospitals and Infirmaries," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

601.

(a) The [collection] unit for investigating the financial condition of the patient and his family, and for determining claims [and collecting charges] for the patient's care, all under this section and any applicable laws, rules and regulations, is the Department of Mental HEALTH AND Hygiene. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE COLLECTION OF DELINQUENT ACCOUNTS AND DEBTS SHALL BE HANDLED BY THE CENTRAL COLLECTION UNIT CREATED WITHIN THE DEPARTMENT OF BUDGET AND FISCAL PLANNING.

(b) For the purpose of determining the amount to be paid for chronic hospital care, it shall be the duty of the [collection] INVESTIGATION unit to investigate the financial condition of such person and also the financial condition of any relative or other person who may be legally chargeable with his or her care, in order to determine, in each case, the ability of any such person, or of his or her relatives or other persons legally chargeable with his or her care, to make payment, in whole or in part, for the care of such person while a patient of such hospital. In making such investigation, the [collection] INVESTIGATION unit shall require reports or statements to be made by such person, relatives or other person upon such forms as may be prepared by said [collection] unit. Public assistance payments shall be taken into consideration as financial resources.

(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] INVESTIGATION 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] INVESTIGATION unit. The [collection] INVESTIGATION unit shall have the power to require the relatives of any such persons 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; except with respect to those