

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 601(c) of Article 43 - Health, of the Annotated Code of Maryland (1971 Replacement Volume and 1974 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 43 - Health

601.

(c) If as a result of such investigation, the 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 FROM A SCHEDULE OF CHARGES specify the amount of such payments to be made, which shall not exceed the average per diem cost of maintaining a patient in such center, and the times when the same are to be made. [Such average per diem cost] THE SCHEDULE OF CHARGES shall be determined AT LEAST annually by THE SECRETARY OF HEALTH AND MENTAL HYGIENE, the State Comptroller and the [State Budget Director between September 1 and December 1] SECRETARY OF THE STATE DEPARTMENT OF BUDGET AND FISCAL PLANNING. The investigation unit is authorized to set the rate of payments retroactively to become effective as of the date of admission to the center 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] 12 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 investigation unit. The 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 patients who have been or shall remain in such center for a period in excess of thirty (30) months under any one admission, the rate chargeable to the family of the patient shall thereafter not exceed twenty-five (25) percent of the [per capita cost] CHARGE ESTABLISHED FOR THE CARE OF THE PATIENT. In arriving at the amount to be paid, the investigation 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