

the balance due therefor if part has been paid. A claim under this subsection shall not include any charge for such care for a period longer than three years immediately preceding the death of such patient; except that if any relative liable for such patient's care in any such center has misrepresented assets or submitted fraudulent information, and by so doing has avoided such claim or part of such a claim for the patient's care, there shall be a period of limitations of six years on the claim against the estate. Such claim shall be a preferred claim against the estate of any such person, and all claims arising hereunder against the relatives and any other persons legally chargeable with the care of such person, shall also constitute preferred claims. All such claims may be waived, however, by the central collection unit upon recommendation of the investigation unit if in its judgment the enforcement of the same will result in hardship to others, dependent upon those against whom such claims exist. All payments received as a result of the enforcement of such claims shall be accounted for and paid as hereinbefore provided.

(f) The investigation unit is authorized and empowered to adopt and promulgate reasonable rules and regulations covering the details of enforcing the power and procedures provided for in this section. It is intended that such rules and regulations be applied uniformly to patients in mental centers and to patients in chronic disease centers so far as it is practical; however, such rules and regulations as they apply to the admission and discharge of patients in chronic disease centers are subject to the concurrence of the State Board of Health.

(g) Nothing contained herein however shall prevent the Department of Mental Hygiene from accepting in lieu of the requirements of this section those requirements regarding the investigation of financial condition, standards of eligibility and legal responsibility of patients, their responsible relatives, legal representatives, and the estate of patients or legally responsible relatives, as set out in the medical assistance plan or the federal laws and regulations under Title XIX of the Social Security Amendment of 1965, or other amendments thereto as may be enacted from time to time.]

SECTION 2. AND BE IT FURTHER ENACTED, That Sections 40, 41, 42, 43 and 44 of Article 59 - Mental Hygiene, of the Annotated Code of Maryland (1972 Replacement Volume and 1974 Supplement) be and they are hereby repealed: