

CHAPTER 148

(House Bill 138)

AN ACT concerning

Mental Retardation - Fees for Court-Ordered Examinations

FOR the purpose of requiring that the State, rather than the county, pay for court-ordered examinations; and creating a certain right of action by the Administration against third party insurers.

BY repealing and reenacting, with amendments,

Article 59A - Mental Retardation
Section 31
Annotated Code of Maryland
(1979 Replacement Volume and 1980 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 59A - Mental Retardation

31.

When any person is examined by a representative of the Administration pursuant to any order of court, [a reasonable fee shall be charged for the examination. The fees shall be added to the costs of the case, and shall be paid by the county] THE COST FOR THE EXAMINATION SHALL BE ASSUMED BY THE STATE. If, however, the examination is requested by the person being examined, or his representative, he shall be responsible for payment of the appropriate fee, and the Administration may request, and the court may require, such person to post a bond for payment of the examining fee. THE ADMINISTRATION MAY RECOVER THE COST OF THE EXAMINATION FROM THIRD PARTY INSURERS TO THE EXTENT THAT SUCH COVERAGE IS AVAILABLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1981.

Approved April 28, 1981.

CHAPTER 149

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