

MEDICAL ASSISTANCE PAYMENTS UNDER THIS TITLE.

(B) WAIVER AUTHORIZED.

THE CLAIM SHALL BE WAIVED BY THE DEPARTMENT IF, IN ITS JUDGMENT, ENFORCEMENT OF THE CLAIM WILL CAUSE SUBSTANTIAL HARDSHIP TO THE SURVIVING DEPENDENTS OF THE DECEASED.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 42G.

The only changes are in style.

Defined terms: "Department" § 1-101
 "Includes"/"including" § 1-101
 "Program recipient" § 15-101

15-122. RESPONSIBILITY OF SPOUSE UNDER PROGRAM.

(A) LIABILITY.

THE SPOUSE OF A PROGRAM RECIPIENT IS RESPONSIBLE FOR PAYMENTS FOR THE HEALTH CARE NEEDS OF THE PROGRAM RECIPIENT TO THE EXTENT THAT THE SPOUSE IS ABLE TO PAY ANY OF THE COST OF CARE. THE TOTAL LIABILITY SHALL BE LIMITED TO THE AMOUNT SPENT FOR THE CARE UNDER THE PROGRAM.

(B) RULES AND REGULATIONS.

THE SECRETARY SHALL ADOPT RULES AND REGULATIONS THAT SET STANDARDS FOR PAYMENT BY THE SPOUSE BASED ON THE ABILITY OF THE SPOUSE TO PAY ALL OR PART OF THE COST OF CARE. TO DETERMINE REASONABLY THE ABILITY TO PAY, THE SECRETARY SHALL EVALUATE AVAILABLE INCOME, ORDINARY LIVING EXPENSES, SPECIAL EXPENSES, AND ASSETS, OTHER THAN THE HOMESTEAD OF THE SPOUSE AND ITS APPURTENANCES.

(C) COLLECTION OF MONEY OWED.

(1) THE SECRETARY MAY COLLECT THE MONEY OWED.

(2) THE CENTRAL COLLECTION UNIT IN THE DEPARTMENT OF BUDGET AND FISCAL PLANNING SHALL COLLECT DELINQUENT ACCOUNTS AND DEBTS.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 42L.

In subsection (c)(2) of this section, the former disclaimer, "{n}otwithstanding any other provision of this section," is deleted as unnecessary.

The only other changes are in style.