

AS TO SERVICES THAT ARE PROVIDED BY A POLITICAL SUBDIVISION OR GRANTEE, THE DEPARTMENT MAY DELEGATE TO THE POLITICAL SUBDIVISION OR GRANTEE THE INVESTIGATION OF FINANCIAL CONDITION AND THE DETERMINATION AND COLLECTION OF THE AMOUNT PAYABLE. HOWEVER, THE POLITICAL SUBDIVISION OR GRANTEE SHALL FOLLOW EACH LAW AND EACH RULE AND REGULATION OF THE DEPARTMENT THAT RELATES TO THE INVESTIGATION AND DETERMINATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 601(b)(2), (4), and the first sentences of (1) and (3) and -- through incorporation by reference -- former Article 59, § 39(b) and former Article 59A, § 24(b).

In subsection (a) of this section, the former, erroneously limited, reference to a determination of the ability of "the patient or his responsible relatives" to pay is deleted. As is otherwise clear from the context, the ability of other persons "who legally may be chargeable" also is an essential consideration. See, e.g., § 16-203(a)(2) of this subtitle. However, in subsection (a)(2) of this section, the phrase "to the extent that the recipient of services is unable to pay" is added to clarify that an investigation of chargeable persons is not required if the recipient of services, in fact, is able to pay.

Similarly, in subsection (c)(1) of this section, the reference to "any chargeable person, and any other person" is substituted for "other persons, whether or not related to the patient," for clarity.

The second sentence of former Article 43, § 601(b)(3), which made a failure to obey a court order punishable as contempt, is deleted as unnecessary.

Defined terms: "Chargeable person" § 16-101
 "Cost of care" § 16-101 "Department" § 1-101
 "County" § 1-101 "Person" § 1-101
 "Recipient of services" § 16-101

16-203. LIABILITY FOR PAYMENTS.

(A) IN GENERAL.

(1) THE COST OF CARE OF A RECIPIENT OF SERVICES SHALL BE DETERMINED IN ACCORDANCE WITH THE CHARGES FOR SERVICES SET UNDER § 16-201 OF THIS SUBTITLE.