

(B) FEES FOR KIDNEY DISEASE SERVICES.

(1) ANY FEE COLLECTED BY THE DEPARTMENT FOR KIDNEY DISEASE SERVICES MAY BE KEPT BY THE DEPARTMENT ONLY TO MAINTAIN AND OPERATE THE STATE KIDNEY DISEASE PROGRAM.

(2) SUBJECT ONLY TO THE LIMITATIONS PROVIDED IN TITLE 13, SUBTITLE 3 OF THIS ARTICLE AND IN THE PROVISIONS OF THE STATE BUDGET FOR THE STATE KIDNEY DISEASE PROGRAM, THE DEPARTMENT MAY BILL FOR SERVICES THAT ARE PROVIDED IN STATE OR PRIVATELY OPERATED KIDNEY DISEASE CENTERS AND COLLECT THE CHARGES DIRECTLY FROM:

(I) ANY PUBLIC OR PRIVATE THIRD PARTY PAYOR;

(II) ANY CHARGEABLE PERSON, EXCEPT A CHILD OF THE RECIPIENT OF SERVICES; OR

(III) THE ASSETS OR INCOME OF THE RECIPIENT OF SERVICES.

(C) DEATH OF RECIPIENT OF SERVICES.

(1) IF A RECIPIENT OF SERVICES DIES, THE DEPARTMENT MAY MAKE A CLAIM AGAINST THE ESTATE OF THE RECIPIENT FOR ANY UNPAID CHARGES ESTABLISHED FOR THAT RECIPIENT.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, A CLAIM UNDER THIS SUBSECTION MAY NOT INCLUDE ANY CHARGE FOR SERVICES PROVIDED MORE THAN 3 YEARS BEFORE THE RECIPIENT OF SERVICES DIED.

(3) A CLAIM MADE UNDER THIS SUBSECTION IS A PREFERRED CLAIM AGAINST THE ESTATE OF A DECEASED RECIPIENT OF SERVICES. THE CLAIM MAY BE WAIVED BY THE DEPARTMENT IF, IN ITS JUDGMENT, ENFORCEMENT OF THE CLAIM WILL CAUSE SUBSTANTIAL HARDSHIP TO DEPENDENTS OF THE DECEASED.

(4) IF A RESPONSIBLE RELATIVE WHO IS LIABLE FOR THE COST OF CARE OF THE RECIPIENT OF SERVICES HAS MISREPRESENTED ASSETS OR SUBMITTED FRAUDULENT INFORMATION AND, BY DOING SO, HAS AVOIDED ANY PART OF THE CLAIM FOR THE COST OF CARE, THERE IS NO LIMITATION ON THE TIME IN WHICH THE CLAIM MAY BE BROUGHT AGAINST THE ESTATE.

(D) PROCEEDINGS ON CURRENT AND DELINQUENT ACCOUNTS.

(1) THE DEPARTMENT MAY INSTITUTE ANY PROCEEDINGS THAT THE DEPARTMENT CONSIDERS NECESSARY TO REQUIRE COLLECTION OF THE ESTABLISHED BUT UNCOLLECTED PAYMENTS.

(2) THE CENTRAL COLLECTION UNIT IN THE DEPARTMENT OF BUDGET AND FISCAL PLANNING SHALL HANDLE THOSE