

PROGRAM IF THE EMPLOYEE IS SEPARATED FROM SERVICE VOLUNTARILY, OR INVOLUNTARILY BECAUSE OF MISCONDUCT, BEFORE THE TIME SPECIFIED IN THE AGREEMENT.

(B) AN EMPLOYEE WHO VOLUNTARILY TRANSFERS FROM THE PARTICIPATING UNIT TO ANOTHER UNIT OF STATE GOVERNMENT BEFORE THE DATE SPECIFIED IN THE AGREEMENT MAY NOT BE REQUIRED TO REPAY BENEFITS TO THE STATE UNLESS, BEFORE THE EFFECTIVE DATE OF THE TRANSFER, THE HEAD OF THE PARTICIPATING UNIT THAT PROVIDED THE BENEFITS NOTIFIES THE EMPLOYEE THAT REPAYMENT IS REQUIRED.

(C) (1) IF AN EMPLOYEE FAILS TO REPAY ANY AMOUNT OWED TO THE STATE UNDER SUBSECTION (A)(2) OF THIS SECTION, THE STATE MAY RECOVER THE AMOUNT OUTSTANDING BY:

(I) SETOFF AGAINST ACCRUED COMPENSATION, RETIREMENT BENEFITS, OR ANY OTHER AMOUNT OWED TO THE EMPLOYEE BY THE STATE; AND

(II) ANY OTHER METHOD PROVIDED BY LAW.

(2) THE HEAD OF THE PARTICIPATING UNIT THAT PROVIDED BENEFITS TO AN EMPLOYEE UNDER A PROGRAM MAY WAIVE, IN WHOLE OR IN PART, A RIGHT OF RECOVERY UNDER THIS SUBSECTION IF RECOVERY WOULD BE INEQUITABLE OR AGAINST PUBLIC POLICY.

(D) AN EMPLOYEE IS INELIGIBLE FOR CONTINUED BENEFITS UNDER A PROGRAM IF THE EMPLOYEE:

(1) SEPARATES FROM THE PARTICIPATING UNIT PROVIDING THE BENEFITS; OR

(2) DOES NOT MAINTAIN AN ACCEPTABLE LEVEL OF PERFORMANCE, AS DETERMINED UNDER STANDARDS AND PROCEDURES ESTABLISHED BY THE PARTICIPATING UNIT.

(E) BENEFITS PROVIDED TO AN EMPLOYEE UNDER A PROGRAM SHALL BE IN ADDITION TO THE SALARY AND ANY OTHER COMPENSATION PAYABLE TO THE EMPLOYEE.

10-506.

(A) THE SECRETARY OF BUDGET AND MANAGEMENT SHALL ADOPT REGULATIONS ESTABLISHING STANDARDS, REQUIREMENTS, AND PROCEDURES THAT THE SECRETARY CONSIDERS NECESSARY TO PROVIDE REASONABLE UNIFORMITY AMONG PROGRAMS ESTABLISHED UNDER § 10-503 OF THIS SUBTITLE.

(B) THE REGULATIONS SHALL BE ADOPTED AFTER CONSULTATION WITH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LEGISLATIVE SERVICES AND THE SECRETARY OF JUVENILE SERVICES.