

money, for the benefit of the Department, to the extent required for the subrogation claim, after deducting applicable attorney's fees.

(2) A person who, after written notice of a subrogation claim from the Department and possible liability under this paragraph, disposes of the money, without the written approval of the Department, is liable to the Department for any amount that, because of the disposition, is not recoverable by the Department.

(3) The Department may compromise or settle and release its subrogation claim if, in its judgment, collection of the claim will cause substantial hardship to the Program recipient or in a wrongful death action, the surviving dependent of a deceased Program recipient.

15-121.4.

~~(A) A BANK, SAVINGS ASSOCIATION, OR OTHER FINANCIAL INSTITUTION, OR A HEALTH CARE INSTITUTION AS DEFINED UNDER § 19-301 OF THIS ARTICLE, THAT MAINTAINS A CHECKING ACCOUNT, SAVINGS ACCOUNT, OR OTHER LIQUID FINANCIAL ACCOUNT FOR A PROGRAM RECIPIENT SHALL PAY THE PROGRAM THE MONEYS HELD IN THE ACCOUNT OF THAT RECIPIENT TO WHICH THE PROGRAM HAS A CLAIM UPON RECEIPT OF AN AFFIDAVIT FROM A PROGRAM REPRESENTATIVE THAT MEETS THE CONDITIONS OF SUBSECTION (B) OF THIS SECTION.~~

~~(B) THE AFFIDAVIT FROM THE PROGRAM REPRESENTATIVE SHALL STATE THAT THE ACCOUNT HOLDER OR DEPOSITOR:~~

~~(1) HAS DIED, AND PROVIDE THE DATE OF DEATH; AND~~

~~(2) WAS A PROGRAM RECIPIENT.~~

~~(C) THE PROGRAM REPRESENTATIVE MAY NOT SUBMIT AN AFFIDAVIT TO WITHDRAW FUNDS UNDER SUBSECTION (A) OF THIS SECTION IF THE PROGRAM REPRESENTATIVE HAS DETERMINED THAT THE DECEASED PROGRAM RECIPIENT:~~

~~(1) WAS NOT AT LEAST 55 YEARS OF AGE WHEN RECEIVING ANY MEDICAL ASSISTANCE BENEFITS; OR~~

~~(2) HAD AT THE TIME OF DEATH:~~

~~(I) A SURVIVING SPOUSE;~~

~~(II) A SURVIVING CHILD LESS THAN 21 YEARS OF AGE; OR~~

~~(III) A SURVIVING CHILD WHO WAS BLIND OR PERMANENTLY AND TOTALLY DISABLED.~~

~~(D) A HOSPITAL OR A NURSING FACILITY SHALL PROVIDE TIMELY NOTIFICATION TO THE PROGRAM REPRESENTATIVE OF THE DEATH OF ANY RESIDENT WHO IS A PROGRAM RECIPIENT AND AT LEAST 55 YEARS OF AGE.~~

~~(E) (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION, IN ANY CASE IN WHICH THE PROGRAM REPRESENTATIVE HAS RECEIVED FUNDS~~