

COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES IS GOVERNED BY THE CONFIDENTIALITY PROVISIONS OF STATE LAW, INCLUDING TITLE 1, SUBTITLE 2 OF THIS ARTICLE.

REVISOR'S NOTE: This section is derived without substantive change from former Art. 88A, § 13A(d).

In subsections (a) and (b) of this section, the former references to "regulations" are deleted as included in the references to "State law". See General Revisor's Note to article.

3-405. BIENNIAL REVIEW.

THE SECRETARY AND THE COUNTY EXECUTIVE OF MONTGOMERY COUNTY SHALL CONSULT WITH EACH OTHER AT LEAST EVERY OTHER YEAR TO ENSURE THAT THE OBJECTIVES OF THE SOCIAL SERVICE AND PUBLIC ASSISTANCE PROGRAMS ADMINISTERED BY THE MONTGOMERY COUNTY GOVERNMENT ARE CONSISTENT WITH THE OBJECTIVES OF THE STATE SOCIAL SERVICE AND PUBLIC ASSISTANCE PROGRAMS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88A, § 13A(h).

Defined term: "Secretary" § 3-101

3-406. AWARD OF JUDGMENTS.

(A) SCOPE.

THIS SECTION IS NOT A WAIVER OF IMMUNITY UNDER THE ELEVENTH AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES.

(B) JUDGMENTS AGAINST THE COUNTY.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE STATE SHALL PAY ANY JUDGMENT AWARDED AGAINST MONTGOMERY COUNTY OR AN EMPLOYEE OF MONTGOMERY COUNTY THAT ARISES OUT OF AN ACTION COMMENCED OR PROSECUTED IN A COURT OF THE UNITED STATES RELATING TO THE ADMINISTRATION AND IMPLEMENTATION OF STATE PROGRAMS DESCRIBED IN THIS SUBTITLE.

(2) THE STATE MAY NOT PAY A JUDGMENT AWARDED AGAINST AN EMPLOYEE OF MONTGOMERY COUNTY UNDER THIS SECTION FOR AN ACT OR OMISSION COMMITTED:

- (I) OUTSIDE THE SCOPE OF EMPLOYMENT; OR
- (II) WITH MALICE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88A, § 13A(g).

In subsection (b)(1) of this section, the phrase "[e]xcept as provided in paragraph (2) of this subsection" is added for clarity.