

## Article - Health - General

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§15–122.

(a) (1) The spouse of a Program recipient is responsible for payments for the health care needs of the Program recipient to the extent that the spouse is able to pay any of the cost of care. Except as provided in paragraph (2) of this subsection, the total liability shall be limited to the amount spent for the care under the Program.

(2) In any case in which eligibility was based on the spouse's refusal to pay for the Program recipient's care, the liability of the spouse may include:

(i) The amount spent for care by the Program;

(ii) Administrative and enforcement costs incurred by the Program related to pursuing reimbursement from the spouse; and

(iii) Any penalties established by the Secretary by regulation for a violation of this section not to exceed \$50 per day for each day a violation exists.

(b) (1) The Secretary shall adopt rules and regulations that set standards for payment by the spouse based on the ability of the spouse to pay all or part of the cost of care. To determine reasonably the ability to pay, the Secretary shall evaluate available income, ordinary living expenses, special expenses, and assets, other than the homestead of the spouse and its appurtenances.

(2) Notwithstanding the standards established under paragraph (1) of this subsection, the spouse may also be liable for costs and penalties under subsection (a)(2) of this section.

(c) (1) The Secretary may collect the money owed.

(2) The central collection unit in the Department of Budget and Management shall collect delinquent accounts and debts.

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