

Article - Courts and Judicial Proceedings

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§3-2A-03A.

- (a) There is a Health Claims Arbitration Fund.
- (b) At the time of the filing of any claim or a response to a claim, the Director shall collect a fee of:
 - (1) \$40 for the filing of the claim, including any third-party claim; and
 - (2) \$25 for the filing of the response to the claim.
- (c)
 - (1) The Director shall pay all filing fees collected under this subtitle to the Comptroller of the State.
 - (2) The Comptroller shall distribute:
 - (i) 20% of the filing fees received from the Director to the General Fund of the State; and
 - (ii) The balance of the filing fees to the Health Care Alternative Dispute Resolution Office.
- (d)
 - (1) The Fund shall be used exclusively to pay the fees of arbitrators and other operating expenses of the Health Care Alternative Dispute Resolution Office.
 - (2) In accordance with the assessment of costs under § 3-2A-05(f) of this subtitle, the parties to an arbitration shall reimburse the Fund for all fees paid to the arbitrators from the Fund.
- (e)
 - (1) The Fund is a continuing, nonlapsing fund and is not subject to § 7-302 of the State Finance and Procurement Article.
 - (2)
 - (i) Subject to subparagraph (ii) of this paragraph, any unspent portions of the Fund may not be transferred or revert to the General Fund of the State, but shall remain in the Fund to be used for the purposes specified under this subtitle.
 - (ii) Unspent portions of the Fund that exceed \$100,000 at the end of any fiscal year shall revert to the General Fund.
- (f)
 - (1) The Director shall administer the Fund.
 - (2) Moneys in the Fund may be expended only for any lawful purpose authorized by this subtitle.
- (g) The Legislative Auditor shall audit the accounts and transactions of the

Fund as provided in § 2-1220 of the State Government Article.

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