

## Article - Insurance

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§19-802.

- (a) There is a Maryland Health Care Provider Rate Stabilization Fund.
- (b) The purposes of the Fund are to:
  - (1) retain health care providers in the State by allowing medical professional liability insurers to collect rates that are less than the rates approved under § 11-201 of this article;
  - (2) increase fee-for-service rates paid by the Maryland Medical Assistance Program to health care providers identified under § 19-807 of this subtitle;
  - (3) pay managed care organization health care providers identified under § 19-807 of this subtitle consistent with fee-for-service health care provider rates;
  - (4) increase capitation payments to managed care organizations participating in the Maryland Medical Assistance Program consistent with § 15-103(b)(18) of the Health - General Article; and
  - (5) during the period that an allocation is made to the Rate Stabilization Account, subsidize up to \$350,000 annually to provide for the costs incurred by the Commissioner to administer the Fund.
- (c) The Fund shall consist of:
  - (1) the revenue from the tax imposed on health maintenance organizations and managed care organizations under § 6-102 of this article;
  - (2) interest or other income earned on the moneys in the Fund; and
  - (3) any other money from any other source accepted for the benefit of the Fund.
- (d) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.
- (e) The State Treasurer shall hold the Fund separately and the Comptroller shall account for the Fund.
- (f) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.
- (g) The Fund comprises:

(1) the Rate Stabilization Account from which disbursements shall be made to pay for health care provider rate subsidies; and

(2) the Medical Assistance Program Account from which disbursements shall be made to:

(i) provide an increase in fee-for-service health care provider rates paid by the Maryland Medical Assistance Program;

(ii) provide an increase for managed care organization health care providers consistent with fee-for-service health care provider rate increases;

(iii) provide an increase in capitation payments to managed care organizations participating in the Maryland Medical Assistance Program consistent with § 15-103(b)(18) of the Health - General Article; and

(iv) after fiscal year 2009, maintain rates for health care providers and generally to support the operations of the Maryland Medical Assistance Program.

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