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**By: Chairman, Environmental Matters Committee (Departmental - Health and Mental Hygiene)**

Introduced and read first time: January 24, 1996

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

**2 Deer's Head Center and Western Maryland Center Dialysis Fund - Nonlapsing Funds**

3 FOR the purpose of establishing the Deer's Head Center and Western Maryland Center  
4 Dialysis Fund as a continuing, nonlapsing special fund for certain purposes;  
5 providing that the Fund be used exclusively to offset and partially cover the actual  
6 documented costs of the kidney dialysis services of the Deer's Head Center and  
7 Western Maryland Center under certain circumstances; providing that certain funds  
8 accrued before a certain date should be paid into the special fund; and generally  
9 relating to the Deer's Head Center and Western Maryland Center Dialysis Fund.

10 BY adding to

11 Article - Health - General  
12 Section 19-503.1  
13 Annotated Code of Maryland  
14 (1990 Replacement Volume and 1995 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Health - General**

18 19-503.1.

19 (A) IN THIS SECTION, "FUND" MEANS THE DEER'S HEAD CENTER AND  
20 WESTERN MARYLAND CENTER DIALYSIS FUND.

21 (B) THERE IS A DEER'S HEAD CENTER AND WESTERN MARYLAND CENTER  
22 DIALYSIS FUND.

23 (C) THE DEPARTMENT SHALL ESTABLISH THE FEES FOR KIDNEY DIALYSIS  
24 SERVICES IN ACCORDANCE WITH § 16-201.

25 (D) THE DEPARTMENT SHALL COLLECT THE FEES, AND DEPOSIT THE FEES IN  
26 AN INTEREST BEARING ACCOUNT UNTIL THE FEES ARE TRANSFERRED INTO THE  
27 FUND.

28 (E) (1) THE FUND IS A CONTINUING, NONLAPSING SPECIAL FUND, NOT  
29 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

1                   (2) THE FUND SHALL BE USED EXCLUSIVELY TO OFFSET AND  
2 PARTIALLY COVER THE ACTUAL DOCUMENTED COSTS OF THE KIDNEY DIALYSIS  
3 DISEASE SERVICES OF THE DEER'S HEAD CENTER AND WESTERN MARYLAND  
4 CENTER DIALYSIS PROGRAMS AS DESCRIBED IN THIS SUBTITLE.

5                   (3) ANY UNSPENT FUNDS EQUAL TO OR LESS THAN FIFTEEN PERCENT  
6 OF THE TOTAL KIDNEY DIALYSIS PROGRAM PROVIDED BY DEER'S HEAD CENTER  
7 AND WESTERN MARYLAND CENTER SHALL REMAIN IN THE FUND TO BE USED FOR  
8 THE PURPOSE SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION.

9                   (4) ANY UNSPENT PORTIONS IN EXCESS OF FIFTEEN PERCENT OF THE  
10 TOTAL KIDNEY DIALYSIS PROGRAM MAY BE TRANSFERRED OR REVERTED TO THE  
11 GENERAL FUND OF THE STATE.

12                  (F) THE SECRETARY OR THE SECRETARY'S DESIGNEE SHALL ADMINISTER  
13 THE FUND AND THE MONEYS IN THE FUND MAY BE EXPENDED ONLY FOR THE  
14 PURPOSES SPECIFIED IN THIS SECTION.

15                  (G) THE LEGISLATIVE AUDITOR MAY AUDIT THE ACCOUNTS AND  
16 TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1215 OF THE STATE GOVERNMENT  
17 ARTICLE.

18                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall ensure  
19 that any moneys accrued up until October 1, 1996 do not revert and shall be paid into the  
20 Deer's Head Center and Western Maryland Center Dialysis Fund.

21                  SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 1996.