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

Introduced and read first time: January 31, 1996

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2                   **Kidney Disease Fund**

3 FOR the purpose of repealing the termination date of provisions relating to the Kidney  
4           Disease Fund; and generally relating to the Kidney Disease Fund.

5 BY repealing and reenacting, without amendments,  
6           Article - Health - General  
7           Section 13-310.1  
8           Annotated Code of Maryland  
9           (1994 Replacement Volume and 1995 Supplement)

10 BY repealing and reenacting, with amendments,  
11           Chapter 404 of the Acts of the General Assembly of 1992, as amended by Chapter  
12           25 of the Acts of the General Assembly of 1994  
13           Section 2

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

16                   **Article - Health - General**

17 13-310.1.

18           (a) In this section, "Fund" means the Kidney Disease Fund.

19           (b) There is a Kidney Disease Fund.

20           (c) (1) Subject to the provisions of paragraphs (2) and (3) of this subsection, the  
21 Commission shall set by regulation reasonable fees to be paid by all certified kidney  
22 dialysis and transplant centers as an additional requirement for annual certification.

23                   (2) The provisions of this section do not apply to:

24                           (i) State-owned facilities; or

25                           (ii) Hospital services under the jurisdiction of the Health Services Cost

26 Review Commission.

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1 (3) The fee set by the Commission may not exceed \$1500 per year.

2 (d) The Department shall collect the fee set by the Commission undersubsection  
3 (c) of this section and transfer the fee into the Fund.

4 (e) (1) The Fund is a continuing, nonlapsing fund, not subject to § 7-302 of the  
5 State Finance and Procurement Article.

6 (2) (i) The Fund shall be used exclusively to offset and partially cover the  
7 actual documented direct costs of fulfilling the statutory and regulatory duties of the  
8 Commission as described in this subtitle.

9 (ii) The Department shall pay the indirect costs the Commission incurs  
10 in fulfilling the statutory and regulatory duties of the Commission as described in this  
11 subtitle.

12 (3) Any unspent portions of the Fund may not be transferred or revert to  
13 the General Fund of the State, but shall remain in the Fund to be used for the purposes  
14 specified in paragraph (2)(i) of this subsection.

15 (f) (1) The Chairman of the Commission or the designee of the Chairman shall  
16 administer the Fund.

17 (2) Moneys in the Fund may be expended only for the purposes specified in  
18 subsection (e)(2)(i) of this section.

19 (g) The Legislative Auditor shall audit the accounts and transactions of the Fund  
20 as provided in § 2-1215 of the State Government Article.

21 **Chapter 404 of the Acts of 1992, as amended by Chapter 25 of the Acts of 1994**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 July 1, 1992. [It shall remain effective for a period of 4 years and, at the end of June 30,  
24 1996 with no further action required by the General Assembly, this Act shall be abrogated  
25 and of no further force and effect.]

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 June 30, 1996.