

HOUSE BILL 242

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1999 Regular Session  
9r0168

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

Introduced and read first time: February 3, 1999

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Services Cost Review Commission - Abrogation Date and User Fees**

3 FOR the purpose of repealing a certain abrogation date relating to the funding of the  
4 Health Services Cost Review Commission; altering the maximum amount of  
5 user fees the Commission may assess; and generally relating to the Health  
6 Services Cost Review Commission.

7 BY repealing and reenacting, with amendments,  
8 Article - Health - General  
9 Section 19-207.1  
10 Annotated Code of Maryland  
11 (1996 Replacement Volume and 1998 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Chapter 319 of the Acts of the General Assembly of 1995, as amended by  
14 Chapter 238 of the Acts of the General Assembly of 1997  
15 Section 2

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

18 **Article - Health - General**

19 19-207.1.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) "Facilities" means hospitals and related institutions whose rates  
22 have been approved by the Commission.

23 (b) The Commission shall assess and collect user fees on facilities as defined  
24 in this section.

1 (c) (1) The total user fees assessed by the Commission may not exceed  
2 [\$3,000,000] \$3,500,000 in any fiscal year.

3 (2) The total user fees assessed by the Commission may not exceed the  
4 Special Fund appropriation for the Commission by more than 20%.

5 (3) The user fees assessed by the Commission shall be used exclusively  
6 to cover the actual documented direct and indirect costs of fulfilling the statutory and  
7 regulatory duties of the Commission in accordance with the provisions of this subtitle.

8 (4) The Commission shall pay all funds collected from fees assessed in  
9 accordance with this section into the Health Services Cost Review Commission Fund.

10 (5) The user fees assessed by the Commission may be expended only for  
11 purposes authorized by the provisions of this subtitle.

12 (d) (1) There is a Health Services Cost Review Commission Fund.

13 (2) The Fund is a special continuing, nonlapsing fund that is not subject  
14 to § 7-302 of the State Finance and Procurement Article.

15 (3) The Treasurer shall separately hold, and the Comptroller shall  
16 account for, the Fund.

17 (4) The Fund shall be invested and reinvested in the same manner as  
18 other State funds.

19 (5) Any investment earnings shall be retained to the credit of the Fund.

20 (6) The Fund shall be subject to an audit by the Office of Legislative  
21 Audits as provided for in § 2-1220 of the State Government Article.

22 (7) This section may not be construed to prohibit the Fund from  
23 receiving funds from any other source.

24 (8) The Fund shall be used only to provide funding for the Commission  
25 and for the purposes authorized under this subtitle.

26 (e) The Commission shall:

27 (1) Assess user fees for each facility equal to the sum of:

28 (i) The amount equal to one half of the total user fees times the  
29 ratio of admissions of the facility to total admissions of all facilities; and

30 (ii) The amount equal to one half of the total user fees times the  
31 ratio of gross operating revenue of each facility to total gross operating revenues of all  
32 facilities;

33 (2) Establish minimum and maximum assessments; and

