

SENATE BILL 72

J3

71r0168

By: **The President (By Request – Administration)**

Introduced and read first time: January 19, 2007

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Health Care Commission – User Fee Assessments**

3 FOR the purpose of altering the maximum amount of user fees the Maryland Health
4 Care Commission may assess; making permanent a certain authorization to
5 assess indirect costs; and generally relating to the Maryland Health Care
6 Commission.

7 BY repealing and reenacting, with amendments,
8 Article – Health – General
9 Section 19–110(b) and 19–111(c)
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2006 Supplement)

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

14 **Article – Health – General**

15 19–110.

16 (b) The power of the Secretary to transfer, by rule, regulation, or written
17 directive, any staff, functions, or funds of units in the Department does not apply to
18 any staff, function, or funds of the Commission. [For fiscal year 2007, the] **THE**
19 Secretary may assess an administrative charge, consistent with the indirect cost
20 charge assessed to federal grants, to fund services provided to the Commission by the
21 Executive Branch.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 19-111.

2 (c) (1) The total fees assessed by the Commission may not exceed
3 ~~[\$10,000,000]~~ **\$12,000,000**.

4 (2) The fees assessed by the Commission shall be used exclusively to
5 cover the actual documented direct costs of fulfilling the statutory and regulatory
6 duties of the Commission in accordance with the provisions of this subtitle. [For the
7 fiscal year 2007, the] **THE** costs of the Commission include the administrative costs
8 incurred by the Department on behalf of the Commission. The amount to be paid by
9 the Commission to the Department for administrative costs, not to exceed 18% of the
10 salaries of the Commission, shall be based on indirect costs or services benefiting the
11 Commission, less overhead costs paid directly by the Commission.

12 (3) The Commission shall pay all funds collected from the fees
13 assessed in accordance with this section into the Fund.

14 (4) The fees assessed may be expended only for purposes authorized by
15 the provisions of this subtitle.

16 (5) The amount in paragraph (1) of this subsection limits only the total
17 fees the Commission may assess in a fiscal year.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2007.