

(B) -- THE PURPOSE OF THIS SUBSECTION IS TO PROMOTE, THROUGH THE AUTHORITY OF THE COMMISSION, FINANCIAL ACCESS TO AN EFFICIENT AND EFFECTIVE HEALTH CARE FACILITY DELIVERY SYSTEM BY ESTABLISHING A STATE AFFORDABILITY LIMIT TO GOVERN THE AGGREGATE AMOUNT OF NET PATIENT REVENUES WHICH MAY BE CONSUMED BY THAT SYSTEM FOR HOSPITAL PATIENT SERVICES.

(C) -- AT LEAST 60 DAYS PRIOR TO THE START OF EACH CALENDAR YEAR, BEGINNING JANUARY 1, 1986, THE COMMISSION SHALL, BY REGULATION AND IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT, ESTABLISH A STATE AFFORDABILITY LIMIT TO GOVERN THE AGGREGATE AMOUNT OF NET PATIENT REVENUES, LESS PRIVATE AMBULATORY REVENUES AS DETERMINED BY THE HEALTH SERVICES COST REVIEW COMMISSION, WHICH MAY BE CONSUMED BY ALL HOSPITALS WHOSE RATES HAVE BEEN APPROVED BY THE COMMISSION.

(D) -- IN ESTABLISHING THE STATE AFFORDABILITY LIMIT, THE COMMISSION MAY TAKE INTO ACCOUNT CHANGES IN TOTAL PERSONAL INCOME, PER CAPITA INCOME, GROSS STATE PRODUCT, MIGRATION PATTERNS, HEALTH NEEDS OF THE STATE OR OTHER FACTORS WHICH IT DEEMS RELEVANT.

(E) -- THE COMMISSION SHALL, BY REGULATION, ESTABLISH PROCEDURES TO MONITOR TOTAL HOSPITAL NET PATIENT SERVICE REVENUE LEVELS, SUBJECT TO THE STATE AFFORDABILITY LIMIT, AND UPON FINDING THAT THE STATE AFFORDABILITY LIMIT MAY BE EXCEEDED, SHALL:

(1) -- ADVISE THE HEALTH RESOURCES PLANNING COMMISSION;
AND

(2) -- IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT AND OTHER PROCEDURES SET OUT ELSEWHERE IN THIS SUBTITLE, TAKE ANY ACTION NECESSARY TO REDUCE THE LEVEL OF HOSPITAL NET PATIENT SERVICE REVENUES, INCLUDING:

(i) -- ACCELERATION OF SPEND-DOWN AGREEMENTS,

(ii) -- REVISION OF GUARANTEED INPATIENT REVENUE SAVINGS PERCENTAGES,

(iii) -- IMPOSITION OF A PRODUCTIVITY OFFSET TO HOSPITAL RATE INCREASES, AND

(iv) -- REVISION OF VARIABLE COST FACTORS.

(F) -- THE ESTABLISHMENT OF AN ANNUAL STATE AFFORDABILITY LIMIT BY THE COMMISSION MAY NOT CONSTITUTE A REQUIREMENT THAT THE COMMISSION SET RATES FOR HOSPITALS THAT WILL IN THE AGGREGATE EQUAL THE STATE AFFORDABILITY LIMIT.

19-201.

(a) In this subtitle the following words have the meanings indicated.