

THE PAYMENT OF ANY PUBLIC BODY OBLIGATION AS PROVIDED IN THIS SECTION.

(H) (1) ON THE DATE OF CLOSURE OR DELICENSURE OF ANY HOSPITAL FOR WHICH A FINANCING OR REFINANCING PLAN HAS BEEN DEVELOPED IN ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION, THE HEALTH SERVICES COST REVIEW COMMISSION SHALL ASSESS A FEE ON ALL HOSPITALS AS PROVIDED IN § 19-207.2 OF THE HEALTH - GENERAL ARTICLE IN AN AMOUNT SUFFICIENT TO:

(I) PAY THE PRINCIPAL AND INTEREST ON ANY PUBLIC BODY OBLIGATIONS, OR ANY BONDS OR NOTES ISSUED BY THE AUTHORITY PURSUANT TO SUBSECTION (F) OF THIS SECTION TO FINANCE OR REFINANCE PUBLIC BODY OBLIGATIONS;

(II) MAINTAIN ANY RESERVE REQUIRED IN THE RESOLUTION, TRUST AGREEMENT OR OTHER FINANCING AGREEMENT SECURING PUBLIC BODY OBLIGATIONS, BONDS, OR NOTES;

(III) PAY ANY REQUIRED FINANCING FEES OR OTHER SIMILAR CHARGES; AND

(IV) MAINTAIN RESERVES DEEMED APPROPRIATE BY THE AUTHORITY TO ENSURE THAT THE AMOUNTS PROVIDED IN THIS SUBSECTION ARE SATISFIED IN THE EVENT ANY HOSPITAL DEFAULTS IN PAYING THE FEES.

(2) THE FEE ASSESSED EACH HOSPITAL SHALL BE EQUAL TO THAT PORTION OF THE TOTAL FEES REQUIRED TO BE ASSESSED THAT IS EQUAL TO THE RATIO OF THE ACTUAL GROSS PATIENT REVENUES OF THE HOSPITAL TO THE TOTAL GROSS PATIENT REVENUES OF ALL HOSPITALS.

(3) EACH HOSPITAL SHALL PAY THE FEE DIRECTLY TO THE AUTHORITY, ANY TRUSTEE FOR THE HOLDERS OF ANY BONDS OR NOTES ISSUED BY THE AUTHORITY PURSUANT TO SUBSECTION (G) OF THIS SECTION, OR AS OTHERWISE DIRECTED BY THE AUTHORITY. THE FEE MAY BE ASSESSED AT ANY TIME NECESSARY TO MEET THE PAYMENT REQUIREMENTS OF THIS SUBSECTION.

(4) THE FEES ASSESSED MAY NOT BE SUBJECT TO SUPERVISION OR REGULATION BY ANY DEPARTMENT, COMMISSION, BOARD, BODY OR AGENCY OF THIS STATE. ANY PLEDGE OF THESE FEES TO ANY BONDS OR NOTES ISSUED PURSUANT TO THIS SECTION OR TO ANY OTHER PUBLIC BODY OBLIGATIONS, SHALL IMMEDIATELY BE SUBJECT TO THE LIEN OF THE PLEDGE WITHOUT ANY PHYSICAL DELIVERY OR FURTHER ACT. THE LIEN OF THE PLEDGE SHALL BE VALID AND BINDING AGAINST ALL PARTIES HAVING CLAIMS OF ANY KIND IN TORT, CONTRACT OR OTHERWISE AGAINST THE AUTHORITY OR ANY CLOSED OR DELICENSED HOSPITAL, IRRESPECTIVE OF WHETHER THE PARTIES HAVE NOTICE.

(5) IN THE EVENT THE HEALTH SERVICES COST REVIEW COMMISSION SHALL TERMINATE BY LAW, THE SECRETARY OF HEALTH AND MENTAL HYGIENE, IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBSECTION, SHALL IMPOSE A FEE ON ALL HOSPITALS LICENSED PURSUANT TO § 19-318 OF THE HEALTH - GENERAL ARTICLE.