

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE TOTAL FEES ASSESSED BY THE COMMISSION SHALL BE DERIVED ONE-THIRD FROM HEALTH CARE PROVIDERS PRACTITIONERS REQUIRED TO SUBMIT DATA TO THE COMMISSION UNDER THIS SUBTITLE AND TWO-THIRDS FROM PAYORS.

(II) THE COMMISSION MAY NOT ASSESS A FEE ON PHARMACISTS.

(3) THE TOTAL FEES ASSESSED BY THE COMMISSION MAY NOT EXCEED ~~\$2,000,000~~ \$5,000,000 IN ANY FISCAL YEAR.

(4) THE COMMISSION SHALL PAY ALL FUNDS COLLECTED FROM FEES ASSESSED IN ACCORDANCE WITH THIS SECTION INTO THE GENERAL FUND OF THE STATE.

(5) THE FEES ASSESSED IN ACCORDANCE WITH THIS SECTION SHALL BE USED ONLY FOR THE PURPOSES AUTHORIZED UNDER THIS SUBTITLE.

(B) THE FEES ASSESSED IN ACCORDANCE WITH THIS SECTION ON HEALTH CARE PROVIDERS PRACTITIONERS SHALL BE:

(1) INCLUDED IN THE LICENSING FEE PAID TO THE BOARD; AND

(2) TRANSFERRED TO THE COMMISSION ON A QUARTERLY BASIS.

(C) (1) THE FEES ASSESSED ON PAYORS IN ACCORDANCE WITH ARTICLE 48A, SECTION 490R OF THE CODE SHALL BE APPORTIONED AMONG EACH PAYOR BASED ON THE RATIO OF EACH PAYOR'S TOTAL PREMIUMS COLLECTED IN THE STATE TO THE TOTAL COLLECTED PREMIUMS OF ALL PAYORS IN THE STATE.

(2) ON OR BEFORE JUNE 1 OF EACH YEAR, THE COMMISSION SHALL NOTIFY THE STATE INSURANCE COMMISSIONER BY MEMORANDUM OF THE TOTAL ASSESSMENT ON PAYORS FOR THAT YEAR.

(D) THE COMMISSION SHALL DETERMINE AN APPROPRIATE ASSESSMENT FOR A SELF-INSURED GROUP BASED ON THE NUMBER OF INDIVIDUALS COVERED UNDER THE GROUP'S PLAN.

(E) (1) THERE IS A HEALTH CARE ACCESS AND COST FUND.

(2) THE FUND IS A SPECIAL CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(3) THE TREASURER SHALL SEPARATELY HOLD, AND THE COMPTROLLER SHALL ACCOUNT FOR, THE FUND.

(4) THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME MANNER AS OTHER STATE FUNDS.

(5) ANY INVESTMENT EARNINGS SHALL BE RETAINED TO THE CREDIT OF THE FUND.

(6) THE FUND SHALL BE SUBJECT TO AN AUDIT BY THE DIVISION OF AUDITS AS PROVIDED FOR IN § 2-1215 OF THE STATE GOVERNMENT ARTICLE.