

(b) (1) On or before June 30 of each year, the Commissioner shall assess each payor a fee for the upcoming fiscal year established in accordance with the provisions of this section and § 19-1515 of the Health - General Article.

(2) For each fiscal year, the total assessment for all payors shall be:

(i) Set by a memorandum from the Maryland Health Care Access and Cost Commission; and

(ii) Apportioned ~~equitably~~ by the ~~Commissioner~~ MARYLAND HEALTH CARE ACCESS AND COST COMMISSION between the classes of payors described under subsection (a)(3) of this section as determined by the ~~Commissioner~~ MARYLAND HEALTH CARE ACCESS AND COST COMMISSION ~~IN ACCORDANCE WITH § 19-1515 OF THE HEALTH - GENERAL ARTICLE.~~

(3) Of the total assessment apportioned ~~under~~ paragraph (2) of this subsection to payors within the meaning of subsection (a)(3)(i) ~~AND (II) of this section~~ TO HEALTH INSURERS, NONPROFIT HEALTH SERVICE PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS, the Commissioner shall assess each such payor a fraction:

(i) The numerator of which is the payor's total premiums collected in the State for health benefit plans for an appropriate prior 12-month period as determined by the Commissioner; and

(ii) The denominator of which is the total premiums for health benefit plans of all such payors collected in the State for the same period.

~~¶(4)~~ Of the total assessment apportioned under paragraph (2) of this subsection to payors within the meaning of subsection (a)(3)(ii) ~~(III)~~ of this section, the Commissioner shall assess each such payor a fraction:

(i) The numerator of which is ~~the payor's total administrative fees collected in the State for health benefit plans for an appropriate prior 12-month period as determined by the Commissioner~~ ONE; and

(ii) The denominator of which is the total ~~administrative fees of all~~ NUMBER OF such payors ~~collected in the State for health benefit plans for the same period.~~

~~(4) OF THE TOTAL ASSESSMENT APPORTIONED TO THIRD PARTY ADMINISTRATORS OR ANY OTHER ENTITY UNDER CONTRACT WITH A MARYLAND BUSINESS TO ADMINISTER HEALTH BENEFITS, THE COMMISSIONER SHALL MAKE THE ASSESSMENT IN THE AMOUNT SET BY THE COMMISSION UNDER § 19-1515 OF THE HEALTH - GENERAL ARTICLE.~~

(5) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS SUBSECTION, THE FEE ASSESSED ON A THIRD PARTY ADMINISTRATOR MAY NOT EXCEED 0.5% OF THE TOTAL ADMINISTRATIVE FEES FOR HEALTH BENEFIT PLANS COLLECTED IN THE STATE BY THE THIRD PARTY ADMINISTRATOR FOR THE PREVIOUS CALENDAR YEAR.