

(III) ~~ALL INDEPENDENT LABORATORIES.~~

~~(2) AN OFFICE FACILITY WHOLLY OWNED BY A HEALTH MAINTENANCE ORGANIZATION IS NOT SUBJECT TO AN ASSESSMENT UNDER THIS SECTION.~~

~~(3) THE TOTAL ASSESSMENT ON OFFICE FACILITIES SHALL BE ONE THIRD OF THE COMMISSION BUDGET MINUS THE TOTAL ASSESSMENT ON THIRD PARTY ADMINISTRATORS OR ANY OTHER ENTITY UNDER CONTRACT WITH A MARYLAND BUSINESS TO ADMINISTER HEALTH BENEFITS AND SELF INSURED GROUPS.~~

~~(4) BEGINNING WITH FISCAL YEAR 1997, OF THE TOTAL ASSESSMENT APPORTIONED TO OFFICE FACILITIES, THE COMMISSION SHALL ASSESS AND EACH OFFICE FACILITY SHALL PAY A FRACTION:~~

~~(I) THE NUMERATOR OF WHICH IS THE OFFICE FACILITY'S TOTAL GROSS REVENUES FOR AN APPROPRIATE 12 MONTH PERIOD, AS SET BY THE COMMISSION; AND~~

~~(II) THE DENOMINATOR OF WHICH IS THE TOTAL GROSS REVENUES OF ALL ASSESSED OFFICE FACILITIES IN THE STATE FOR THE SAME PERIOD.~~

~~(5) ON OR BEFORE JUNE 30 OF EACH YEAR, THE COMMISSION SHALL ASSESS EACH OFFICE FACILITY THE FEE FOR THE UPCOMING FISCAL YEAR.~~

~~(6) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, EACH OFFICE FACILITY ASSESSED A FEE IN ACCORDANCE WITH THIS SECTION SHALL MAKE PAYMENT TO THE COMMISSION AS DIRECTED BY THE COMMISSION.~~

~~(7) THE COMMISSION MAY MAKE PROVISIONS FOR PARTIAL PAYMENTS.~~

~~(8) THE OFFICE OF LICENSING AND CERTIFICATION IN THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE HEALTH SERVICES COST REVIEW COMMISSION, AND THE HEALTH RESOURCES PLANNING COMMISSION SHALL PROVIDE TIMELY ACCESS TO THE COMMISSION TO ALL RELEVANT INFORMATION AND DATA NEEDED BY THE COMMISSION TO CALCULATE THE APPROPRIATE ASSESSMENT ON OFFICE FACILITIES, INCLUDING PROPRIETARY INFORMATION AND DATA.~~

(e) (D) (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.