

(6) The Fund shall be subject to an audit by the Office of Legislative Audits as provided for in § 2-1215 of the State Government Article.

(7) This section may not be construed to prohibit the Fund from receiving funds from any other source.

(8) The Fund shall be used only to provide funding for the Commission and for the purposes authorized under this subtitle.

~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

~~(a) (1) For Fiscal Year 1996, due to the assessment time frame, the Maryland Health Care Access and Cost Commission may assess and office facilities shall pay a flat rate for each facility in order to achieve that portion of the Commission's budget apportioned to office facilities;~~

~~(2) The Commission may make the assessment on or about September 1, 1995; and~~

~~(3) The assessed office facilities shall pay no later than November 1, 1995;~~

~~(b) (1) The Commission may conduct an annual survey of assessed office facilities to determine annual gross revenue; and~~

~~(2) The assessed office facilities shall report gross revenue by certified, audited financial statement, or the appropriate Internal Revenue Schedule or medicare cost reports or other appropriate forms to document gross revenues; and~~

~~(e) (1) At such time as assessed office facilities are licensed by the State, the Office of Licensing and Certification in the Department of Health and Mental Hygiene shall collect the assessment based on annual gross revenues as part of the licensing fee and transfer such fees to the Commission on a timely basis; and~~

~~(2) The Commission shall work cooperatively with the Office of Licensing and Certification to ascertain gross revenue figures and calculate the appropriate assessment for each office facility.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That when, under the Employee Retirement Income Security Act of 1974, the United States Congress or a court of competent jurisdiction allows more than a de minimis economic impact on a self-funded plan, in the fiscal year following that event, the assessment mechanism shall revert to that set forth in Chapter 9 of the Acts of 1993, which permits the Maryland Insurance Administration to apportion equitably two-thirds of the Maryland Health Care Assess and Cost Commission's budget on two classes of payors.~~

SECTION 2. AND BE IT FURTHER ENACTED, That, in determining the total assessment on classes of payors as set forth in Article 48A, § 490R of the Code, the Maryland Health Care Access and Cost Commission shall consider: