

(c) The Board of Directors shall obtain from the Commissioner the aggregate net direct written premiums of all Association members during the most recent calendar year determined by the Commissioner for commercial auto and private passenger auto divisions of motor vehicle liability insurance and MOTOR VEHICLE physical damage insurance.

20-406.

(a) (2) Unless the Commissioner finds the calculation to be inaccurate, the Commissioner shall authorize each Association member to impose an assessment surcharge on each policy of motor vehicle liability insurance or MOTOR VEHICLE physical damage insurance that is written or renewed in the State during the 1-year period beginning on the next July 1 following notice of the assessment.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article - Insurance**

15-111.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "HEALTH BENEFIT PLAN" HAS THE MEANING STATED IN § 15-1201 OF THIS TITLE.

(3) "PAYOR" MEANS:

(I) A HEALTH INSURER OR NONPROFIT HEALTH SERVICE PLAN THAT HOLDS A CERTIFICATE OF AUTHORITY AND PROVIDES HEALTH INSURANCE POLICIES OR CONTRACTS IN THE STATE UNDER THIS ARTICLE;

(II) A HEALTH MAINTENANCE ORGANIZATION THAT IS LICENSED TO OPERATE IN THE STATE; OR

(III) A THIRD PARTY ADMINISTRATOR OR ANY OTHER ENTITY UNDER CONTRACT WITH A MARYLAND BUSINESS TO ADMINISTER HEALTH CARE BENEFITS.

(B) (1) ON OR BEFORE JUNE 30 OF EACH YEAR, THE COMMISSIONER SHALL ASSESS EACH PAYOR A FEE FOR THE NEXT FISCAL YEAR.

(2) THE FEE SHALL BE ESTABLISHED IN ACCORDANCE WITH THIS SECTION AND § 19-1515 OF THE HEALTH - GENERAL ARTICLE.

(C) (1) 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