

(I) SET BY A MEMORANDUM FROM THE MARYLAND HEALTH CARE ACCESS AND COST COMMISSION; AND

(II) APPORTIONED EQUITABLY BY THE MARYLAND HEALTH CARE ACCESS AND COST COMMISSION AMONG THE CLASSES OF PAYORS DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION AS DETERMINED BY THE MARYLAND HEALTH CARE ACCESS AND COST COMMISSION.

(2) OF THE TOTAL ASSESSMENT APPORTIONED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO PAYORS DESCRIBED IN SUBSECTION (A)(3)(I) AND (II) OF THIS SECTION, THE COMMISSIONER SHALL ASSESS EACH 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 COLLECTED IN THE STATE FOR THE SAME PERIOD FOR HEALTH BENEFIT PLANS OF ALL PAYORS DESCRIBED IN SUBSECTION (A)(3)(I) AND (II) OF THIS SECTION.

(3) OF THE TOTAL ASSESSMENT APPORTIONED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO PAYORS DESCRIBED IN SUBSECTION (A)(3)(III) OF THIS SECTION, THE COMMISSIONER SHALL ASSESS EACH PAYOR A FRACTION:

(I) THE NUMERATOR OF WHICH IS ONE; AND

(II) THE DENOMINATOR OF WHICH IS THE TOTAL NUMBER OF ALL PAYORS DESCRIBED IN SUBSECTION (A)(3)(III) OF THIS SECTION.

(4) NOTWITHSTANDING ANY OTHER PROVISION 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.

(D) PAYMENT OF FEES.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, EACH PAYOR THAT IS ASSESSED A FEE UNDER THIS SECTION SHALL PAY THE FEE TO THE COMMISSIONER ON OR BEFORE SEPTEMBER 1 OF EACH YEAR.

(2) THE COMMISSIONER, IN COOPERATION WITH THE MARYLAND HEALTH CARE ACCESS AND COST COMMISSION, MAY PROVIDE FOR PARTIAL PAYMENTS.

(E) DISTRIBUTION OF FEES.

THE COMMISSIONER SHALL DISTRIBUTE THE FEES COLLECTED UNDER THIS SECTION TO THE HEALTH CARE ACCESS AND COST FUND ESTABLISHED UNDER § 19-1515 OF THE HEALTH - GENERAL ARTICLE.

(F) COOPERATION REQUIRED.