

(4) THE FEES ASSESSED MAY BE EXPENDED ONLY FOR PURPOSES AUTHORIZED BY THE PROVISIONS OF THIS SUBTITLE.

(D) OF THE TOTAL FEES ASSESSED BY THE COMMISSION UNDER THIS SECTION IN ANY FISCAL YEAR, THE COMMISSION:

(1) IN LIEU OF THE APPLICATION FEES PROVIDED FOR IN § 19-123 OF THIS SUBTITLE, SHALL ASSESS:

(I) HOSPITALS AND SPECIAL HOSPITALS FOR AN AMOUNT NOT EXCEEDING 36% OF THE TOTAL AMOUNT ASSESSED; AND

(II) NURSING HOMES FOR AN AMOUNT NOT EXCEEDING 5% OF THE TOTAL AMOUNT ASSESSED;

(2) SHALL ASSESS PAYORS FOR AN AMOUNT NOT EXCEEDING 40% OF THE TOTAL AMOUNT ASSESSED; AND

(3) SHALL ASSESS HEALTH CARE PRACTITIONERS FOR AN AMOUNT NOT EXCEEDING 19% OF THE TOTAL AMOUNT ASSESSED.

(E) (1) THE FEES ASSESSED IN ACCORDANCE WITH THIS SECTION ON HEALTH CARE PRACTITIONERS SHALL BE:

(I) INCLUDED IN THE LICENSING FEE PAID TO THE HEALTH CARE PRACTITIONER'S LICENSING BOARD; AND

(II) TRANSFERRED BY THE HEALTH CARE PRACTITIONER'S LICENSING BOARD TO THE COMMISSION ON A QUARTERLY BASIS.

(2) THE COMMISSION MAY ADOPT REGULATIONS THAT WAIVE THE FEE ASSESSED UNDER THIS SECTION FOR A SPECIFIC CLASS OF HEALTH CARE PRACTITIONERS.

(F) (1) THERE IS A HEALTH CARE ~~ACCESS AND COST~~ COMMISSION 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.

(6) THE FUND SHALL BE SUBJECT TO AN AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED FOR IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

(7) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT THE FUND FROM RECEIVING FUNDS FROM ANY OTHER SOURCE.