

(6) THE PERCENTAGE AMOUNT BY WHICH TOTAL USER FEES ASSESSED BY THE COMMISSION UNDER THIS SECTION ARE INCREASED FROM ONE FISCAL YEAR TO THE NEXT MAY NOT EXCEED THE PERCENTAGE AMOUNT BY WHICH THE ANNUAL UPDATE FACTOR APPLICABLE TO ALL MARYLAND GENERAL ACUTE CARE HOSPITALS IS INCREASED FOR THE SAME FISCAL YEAR.

(7) THE AMOUNT SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION LIMITS ONLY THE TOTAL USER FEES THE COMMISSION MAY ASSESS IN A FISCAL YEAR.

(d) (1) There is a Health Services Cost Review 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.

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

(e) The Commission shall:

(1) Assess user fees for each facility equal to the sum of:

(i) The amount equal to one half of the total user fees times the ratio of admissions of the facility to total admissions of all facilities; and

(ii) The amount equal to one half of the total user fees times the ratio of gross operating revenue of each facility to total gross operating revenues of all facilities;

(2) Establish minimum and maximum assessments; and

(3) Assess each facility on or before June 30 of each year.

(f) On or before September 1 of each year, each facility assessed under this section shall make payment to the Commission. The Commission shall make provision for partial payments.

(g) Any bill not paid within 30 days of an agreed payment date may be subject to an interest penalty to be determined by the Commission.