

(3) "ICF-MR INCOME" MEANS ALL REVENUES RECEIVED BY AN ICF-MR FROM ANY SOURCE PROVIDING ICF-MR SERVICES TO RESIDENTS OF THE FACILITY.

(B) (1) EACH ICF-MR OPERATING IN MARYLAND IS SUBJECT TO AN ASSESSMENT OF 6% OF ALL ICF-MR INCOME.

(2) THE ASSESSMENT REQUIRED BY THIS SECTION SHALL:

(I) BE PAID BY EACH ICF-MR IN ACCORDANCE WITH THIS SECTION; OR

(II) TERMINATE IF THE ASSESSMENT IS NOT PERMISSIBLE UNDER SECTION 1903(W) OF THE SOCIAL SECURITY ACT.

(C) ON OR BEFORE THE 15TH DAY OF EACH QUARTER OF THE STATE FISCAL YEAR, EACH ICF-MR SHALL PAY TO THE DEPARTMENT 6% OF THE ICF-MR INCOME RECEIVED DURING THE PREVIOUS FISCAL QUARTER.

(D) FOR FISCAL YEAR 2004, THE ASSESSMENT REQUIRED BY THIS SECTION SHALL BE PAID ON OR BEFORE JUNE 20, 2004, BASED ON THE ICF-MR INCOME RECEIVED DURING THE PERIOD FROM APRIL 1, 2003 THROUGH MARCH 31, 2004.

~~(D)~~ (E) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

19-1416.

(A) IN THIS SECTION:

~~(1) EXCEPT AS PROVIDED IN ITEM (2) OF THIS SUBSECTION, "NURSING FACILITY" HAS THE MEANING STATED IN § 19-301 OF THIS TITLE; AND~~

~~(2) "NURSING FACILITY" DOES NOT INCLUDE A CONTINUING CARE FACILITY WITHIN THE MEANING OF ARTICLE 70B, § 7 OF THE CODE.~~

~~(B) (1) ALL NURSING FACILITIES OPERATING IN MARYLAND ARE SUBJECT TO AN ASSESSMENT OF \$1,200 PER LICENSED BED PER YEAR.~~

~~(2) THE ASSESSMENT REQUIRED BY THIS SECTION SHALL:~~

~~(I) BE PAID BY THE NURSING FACILITIES IN ACCORDANCE WITH THIS SECTION; AND~~

~~(II) TERMINATE AND MAY NOT BE ASSESSED IF:~~

~~1. THE ASSESSMENT IS NOT PERMISSIBLE UNDER SECTION 1903(W) OF THE SOCIAL SECURITY ACT; OR~~

~~2. THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES DO NOT APPROVE THE EXCLUSION OF CONTINUING CARE FACILITIES FROM THE DEFINITION OF "NURSING FACILITY" UNDER THIS SECTION.~~

~~(C) (1) ON OR BEFORE THE 15TH DAY OF EACH QUARTER OF THE STATE FISCAL YEAR, EACH NURSING FACILITY SHALL PAY TO THE COMPTROLLER \$300 PER LICENSED BED ON THE FIRST DAY OF THE PREVIOUS FISCAL QUARTER.~~