

(C) (1) ~~THE COMMISSION SECRETARY COMMISSION~~ SHALL SET BY REGULATION REASONABLE FEES TO BE PAID BY ALL CERTIFIED KIDNEY DIALYSIS AND TRANSPLANT CENTERS AS AN ADDITIONAL REQUIREMENT FOR ANNUAL CERTIFICATION.

~~(2) THE FEE PAID BY A CERTIFIED KIDNEY DIALYSIS CENTER MAY NOT EXCEED \$1,000 PER YEAR.~~

~~(2) THE FEE SET BY THE COMMISSION MAY NOT EXCEED \$1,500 PER YEAR.~~

(D) THE DEPARTMENT SHALL COLLECT THE FEE SET BY THE ~~COMMISSION SECRETARY COMMISSION~~ UNDER SUBSECTION (C) OF THIS SECTION AND TRANSFER THE FEE INTO THE FUND.

(E) (1) THE FUND IS A CONTINUING, NONLAPSING FUND, NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) (1) THE FUND SHALL BE USED EXCLUSIVELY TO OFFSET AND PARTIALLY COVER THE ACTUAL DOCUMENTED DIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY DUTIES OF THE COMMISSION AS DESCRIBED IN THIS SUBTITLE.

(II) THE DEPARTMENT SHALL PAY THE INDIRECT COSTS THE COMMISSION INCURS IN FULFILLING THE STATUTORY AND REGULATORY DUTIES OF THE COMMISSION AS DESCRIBED IN THIS SUBTITLE.

(3) ANY UNSPENT PORTIONS OF THE FUND MAY NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE FUND TO BE USED FOR THE PURPOSES SPECIFIED IN PARAGRAPH (2)(1) OF THIS SUBSECTION.

(F) (1) THE CHAIRMAN OF THE COMMISSION OR THE DESIGNEE OF THE CHAIRMAN SHALL ADMINISTER THE FUND.

(2) MONEYS IN THE FUND MAY BE EXPENDED ONLY FOR THE PURPOSES SPECIFIED IN SUBSECTION (E)(2)(1) OF THIS SECTION.

(G) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1215 OF THE STATE GOVERNMENT ARTICLE.

(H) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO STATE-OWNED FACILITIES OR TO HOSPITAL SERVICES SUBJECT TO THE RATE SETTING JURISDICTION OF THE HEALTH SERVICES COST REVIEW COMMISSION.