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Title 22@ Social Security

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Division 7@ Health Planning and Facility Construction

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Chapter 10@ Health Facility Data

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Article 5@ Collection of Special Fees

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Section 97064@ Exceptions to the Basis of Assessment

97064 Exceptions to the Basis of Assessment

(a)

New health facilities which have no fiscal years ending on or before June 30 of the preceding calendar year are not liable for the special fee.

(b)

New health facilities which have a fiscal year ending during the twelve month period preceding and including June 30 of the previous calendar year but which is less than 12 months, shall be liable for the special fee based on the gross operating expenses of the partial fiscal year.

(c)

If a health facility does not have a fiscal year ending during the twelve month period preceding and including June 30 of the previous calendar year due to a change in licensee, the special fee shall be based on the gross operating expenses of the previous licensee's last completed fiscal year, expanded to 12 months if applicable. If the gross operating expenses of the previous licensee's last fiscal year are not available to the current licensee, the special fee shall be the last special fee paid by the previous licensee plus ten percent. The Office shall furnish the amount of the last special fee paid by the previous licensee upon request of the affected health facility.

(d)

If a health facility does not have a complete fiscal year ending during the twelve

month period preceding and including June 30 of the previous calendar year due to a change in licensee, the special fee shall be based on the gross operating expenses of the partial fiscal year expanded to 12 months. The partial fiscal year is those months from the start of health facility operations under the new licensee to the end of the fiscal year.

(e)

If a health facility does not have a complete fiscal year ending during the 12 month period preceding and including June 30 of the previous calendar year due to a change in fiscal year, the special fee shall be based on the gross operating expenses of the partial fiscal year expanded to 12 months. The partial fiscal year is those months from the close of the last complete fiscal year to the end of the new partial fiscal year.

(f)

The Office shall determine the basis of assessment for special fee amounts due from health facilities in those circumstances not specifically covered above.