

### **Modifications From Agency**

(5)(c) The assessment shall be paid electronically on or before June 1 of each year in a manner prescribed by the department.

(d) At the discretion of the department, an ambulatory surgical center that is unable to timely pay the assessment due June 1, 2010, may be granted an extension of the due date to June 22, 2010. This extension is only available for the payment that is due June 1, 2010. A determination by the department to not grant an extension is final and is not subject to review under ch. 227, Stats.

(e) Failure to pay the assessment by the due date, including any extension, shall result in a penalty of \$500 per day calculated from the day after the due date up to, but not including, the date the assessment is received by the department, subject to a maximum penalty equal to the amount of the assessment. Payment of the penalty under this paragraph does not relieve the ambulatory surgical center from the responsibility of paying the assessment.

(f) The department may require estimated pre-payment of the assessment, in a manner prescribed by the department. The department shall notify ambulatory surgical centers at least 90 days before the first estimated pre-payment is due.

E:Rules/117 Germane Modification