

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

HOSPITAL & HEALTHSYSTEM	:	No. 681 MAL 2013
ASSOCIATION OF PENNSYLVANIA,	:	
PENNSYLVANIA MEDICAL SOCIETY	:	Petition for Allowance of Appeal from the
AND PENNSYLVANIA PODIATRIC	:	Order of the Commonwealth Court
MEDICAL ASSOCIATION,	:	
	:	
Respondents	:	
	:	
	:	
v.	:	
	:	
	:	
INSURANCE COMMISSIONER,	:	
	:	
Petitioner	:	

ORDER

PER CURIAM

AND NOW, this 12th day of February 2014 the Petition for Allowance of Appeal is **GRANTED, LIMITED TO** the issue set forth below. Allocatur is **DENIED** as to all remaining issues. The issue, as stated by petitioner, is:

Did the Commonwealth Court err by concluding that 40 P.S. § 1303.712(d) requires the Commission to “spend down” any balance in the MCARE Fund in calculating annual provider assessments when the Court’s opinion disregards the plain language and purpose of the statute, disregards accepted statutory construction principles and conflicts with the court’s decision in Meier v. Maleski, 670 A.2d 755 (Pa. Cmwlth. 1996), *aff’d without op.*, 700 A.2d 1262 (Pa. 1997)?