

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulation  
Department of Health and Mental Hygiene  
(DLS Control No. 16-013)**

---

**Overview and Legal and Fiscal Impact**

For the renewal period ending on March 1, 2017, the regulation establishes a fee of \$34 for a one-time one-year dental radiation technologist certificate for those dental radiation technologists whose certificates end in an even number.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies beyond that already assumed under the fiscal analysis of DLS Control No. 15-168P.

**Regulation of COMAR Affected**

**Department of Health and Mental Hygiene:**

Board of Dental Examiners: Fees: COMAR 10.44.20.02

---

**Legal Analysis**

**Summary of Regulation**

For the renewal period ending on March 1, 2017, the regulation establishes a fee of \$34 for a one-time one-year dental radiation technologist certificate for those dental radiation technologists whose certificates end in an even number. The intent of the regulation is to establish a staggered renewal cycle for all certificate holders.

**Legal Issues**

The regulation presents no legal issues of concern.

**Statutory Authority and Legislative Intent**

The Department of Health and Mental Hygiene cites § 4-505 of the Health Occupations Article as statutory authority for the regulations. Section 4-505 requires the State Board of Dental Examiners to adopt regulations concerning qualifications, training, certification, monitoring of, and enforcement requirements for a dental radiation technologist. At least one month before a certificate expires, § 4-505 requires the board to send to each certificate holder, by electronic means or first-class mail to the last known electronic or physical address of the certificate holder,

a renewal notice that states (1) the date on which the current certificate expires; (2) the date by which the renewal application must be received by the board for the renewal to be issued and mailed before the certificate expires; and (3) the amount of the renewal fee.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

## **Fiscal Analysis**

There is no fiscal impact on State or local agencies beyond that already assumed under the fiscal analysis of DLS Control No. 15-168P.

### **Agency Estimate of Projected Fiscal Impact**

The regulation clarifies that the fee for the one-year renewal certificate for certified dental radiation technologists whose certificate numbers end in an even number and who are scheduled to renew their certificates in March 2017 is \$34. The department advises that regulation has no fiscal impact.

The Department of Legislative Services notes that current regulations that became effective in December 2015 (10.44.19.06, DLS Control No. 15-168P) already specify that the fee for this one-year certificate is one-half of the biennial renewal fee. Thus, any fiscal impact from the one-year certificate has already been assumed in the fiscal analysis for DLS Control No. 15-168P, which noted that special fund revenues for the State Board of Dental Examiners decrease by \$111,758 in fiscal 2017 (and by \$223,516 in future odd-numbered fiscal years) and increase by \$223,516 in fiscal 2018 (and future even-numbered fiscal years), due to the creation of a staggered, biennial renewal cycle for certified dental radiation technologists.

### **Impact on Budget**

There is no impact on the State operating or capital budget beyond that already assumed under the fiscal analysis of Control No. 15-168P.

### **Agency Estimate of Projected Small Business Impact**

The department advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

## **Contact Information**

**Legal Analysis:** Lynne Blume Rosen – (410) 946/(301) 970-5350

**Fiscal Analysis:** Sasika Subramaniam – (410) 946/(301) 970-5510