

MARYLAND REGISTER

Emergency Action on Regulations

TO BE COMPLETED BY AELR COMMITTEE	EMERGENCY Transmittal Sheet	TO BE COMPLETED BY DSD
Date Received by AELR Committee		Date Filed with Division of State Documents
05/05/2016		
Emergency Status Approved		Document Number
_ -Yes _ -No		
Emergency Status Begins On		Date of Publication in MD Register
Emergency Status Ends On		
Name of AELR Committee Counsel		

1. COMAR Codification

Title Subtitle Chapter Regulation
 15 14 12 02

2. Name of Promulgating Authority

Department of Agriculture

3. Name of Regulations Coordinator

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4. Name of Person to Call About this Document
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5. Check applicable items:

- New Regulations
- Amendments to Existing Regulations
- Repeal of Existing Regulations
- Incorporation by Reference of Documents Requiring DSD Approval

6. Date Requested for Emergency Status to Begin: 5/27/2016

Date Requested for Emergency Status to Expire: 10/31/2016

7. Agency Will Take the Following Action on These Regulations

- Promulgate them in accordance with State Government Article, §§ 10-101 -- 10-126
- Allow them to expire

8. Is there proposed text which is identical to emergency text:

- Yes - No

If yes, corresponding proposed text published in:

- same issue
- future issue
- previous issue; it appeared in
: Md. R
(vol.) (issue) (page no's) (date)

Under Maryland register docket no.: 15-328-E.

9. Check the following item if it is included in the attached document:

- Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

10. Reason for Request for Emergency Status

Notice of reduced fees has to be provided by the State Board of Veterinary Medical Examiners as soon as possible because registrations are done online to meet the July 1, 2016 date for registering veterinary technicians and veterinary hospitals to avoid a late fee.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Craig Nielsen, Assistant Attorney General, (telephone #(410) 841-5883) on May 5, 2016. A signed copy of the approval is on file at this agency.

Name of Authorized Officer

Joseph Bartenfelder

Title

Secretary

Date

May 5, 2016

Telephone No.

(410) 841-5884

**Title 15
DEPARTMENT OF AGRICULTURE**

Subtitle 14 BOARD OF VETERINARY MEDICAL EXAMINERS

15.14.12 Fees

Authority: Agriculture Article, §2-303, Annotated Code of Maryland

Notice of Emergency Action

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The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to COMAR 15.14.12.02 G & H to reduce technician registration and hospital license fees to be paid to the State Board of Veterinary Medical Examiners. Emergency status to begin May 27, 2016. Emergency status to expire October 31, 2016.

Emergency status began:

Emergency status expires:

Comparison to Federal Standards

There is no corresponding federal standard to this emergency action.

Estimate of Economic Impact

I. Summary of Economic Impact.

There will be a moderate impact on revenue received by the State Board of Veterinary Medical Examiners and a moderate impact on regulated persons beginning with the 2017 fiscal year for the reduction of veterinary technician registration fees and veterinary hospital license fees.

II. Types of Economic Impact.

Revenue (R+/R-)

Expenditure (E+/E-)

Magnitude

A. On issuing agency:	(R-)	\$35,500
B. On other State agencies:	NONE	
C. On local governments:	NONE	

Benefit (+)	Magnitude
Cost (-)	

D. On regulated industries or trade groups:	(+)	\$35,500
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	(+)	Unknown

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The State Board of Veterinary Medical Examiners registers 200 veterinary technicians and licenses 500 veterinary hospitals. The Board proposes to reduce the veterinary technician's registration fee by \$15 (from \$75 to \$60) and the hospital registration fee by \$65 (from \$215 to \$150). This results in a total revenue reduction of \$35,500 (200 x 15 = \$3,000; 500 x \$65 = \$32,500) \$3,000 + 32,500 = \$35,500).

D. See II. A. above for magnitude of benefit to regulated industries.

F. Lower fees reduce the cost of doing business and may result in some unknown benefit to the public.

Economic Impact on Small Businesses

The emergency action has a meaningful economic impact on small business. An analysis of this economic impact follows.

The \$35,500 revenue not coming to the State Board of Veterinary Medical Examiners will stay with individuals and small businesses. It is difficult to quantify the exact positive impact, but there is some.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 17

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Special funds - The Board of Veterinary Medical Examiners Fund.

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

G. Response to small business worksheet:

Small Business Analysis Worksheet

This worksheet is designed to assist the agency in determining if and how the proposal impacts small businesses. Quantify the number of affected small businesses and estimates of costs and benefits to small businesses if possible. State Government Article, §2-1505.2, includes the following definitions which are relevant to the analysis:

“Economic impact analysis” means an estimate of the cost or the economic benefit to small businesses that may be affected by a regulation proposed by an agency pursuant to Title 10, Subtitle 1 of this article.

“Small business” means a corporation, partnership, sole proprietorship, or other business entity, including its affiliates, that: (i) is independently owned and operated; (ii) is not dominant in its field; and (iii) employs 50 or fewer full-time employees.

1a. Intended Beneficiaries. Who are the intended beneficiaries of the proposed regulation? Are these intended beneficiaries primarily households or businesses?

Veterinary technicians and veterinary hospitals

1b. Intended Beneficiaries: Households. If households are the primary intended beneficiaries, will the proposal affect their income or purchasing power such that the volume or patterns of their consumer spending will change? If so, what directions of change would you anticipate? Will these expected spending changes have a disproportionate impact on small businesses? Can you descriptively identify the industries or types of business activities that are impacted?

N/A

1c. Intended Beneficiaries: Businesses. If businesses are the intended beneficiaries, identify the businesses by industry or by types of business activities. How will businesses be impacted? Are these Maryland establishments disproportionately small businesses? If so, how will these Maryland small businesses be affected? Can you identify or estimate the present number of small businesses affected? Can you estimate the present total payroll or total employment of small businesses affected?

Businesses. Veterinary technicians and veterinary hospital owners may benefit to a moderate degree.

2a. Other Direct or Indirect Impacts: Adverse. Businesses may not be the intended beneficiaries of the proposal. Instead, the proposal may direct or otherwise cause businesses to incur additional expenses of doing business in Maryland. Does this proposal require Maryland businesses to respond in such a fashion that they will incur additional work-time costs or monetary costs in order to comply? Describe how Maryland establishments may be adversely affected. Will Maryland small businesses bear a disproportionate financial burden or suffer consequences that affect their ability to compete? Can you estimate the possible number of Maryland small businesses adversely affected? (Note that small business compliance costs in the area of regulation are the sum of out-of-pocket (cash) costs plus time costs — usually expressed as payroll, akin to calculations for legislative fiscal notes. Precise compliance costs may be difficult to estimate, but the general nature of procedures that businesses must accomplish to comply can be described.)

N/A

2b. Other Direct or Indirect Impacts: Positive. Maryland businesses may positively benefit by means other than or in addition to changed consumer spending patterns. How may Maryland businesses be positively impacted by this initiative? Will Maryland small businesses share proportionately or disproportionately in these gains? Can you estimate the possible number of Maryland small businesses positively affected?

Lower fees for veterinary technicians and veterinary hospitals.

3. Long-Term Impacts. There are instances where the longer run economic impact effect from regulations differ significantly from immediate impact. For example, regulations may impose immediate burdens on Maryland small businesses to comply, but the overall restructuring of the industry as a consequence of monitoring and compliance may provide offsetting benefits to the affected small businesses in subsequent years. Can you identify any long run economic impact effects on Maryland small businesses that over time (a) may compound or further aggravate the initial economic impact described above, or (b) may mitigate or offset the initial economic impact described above?

Veterinary technicians and veterinary hospitals that renew their registrations will receive the greatest benefit.

4. Estimates of Economic Impact.

A. Cost of providing goods and services.

If applicable, cannot be determined at this time

B. Effect on the workforce.

If applicable, cannot be determined at this time

C. Effect on the cost of housing.

If applicable, cannot be determined at this time

D. Efficiency in production and marketing.

If applicable, cannot be determined at this time

E. Capital investment, taxation, competition and economic development.

If applicable, cannot be determined at this time

F. Consumer choice.

If applicable, cannot be determined at this time

Attached Document:

TITLE 15

DEPARTMENT OF AGRICULTURE

Subtitle 14 BOARD OF VETERINARY MEDICAL EXAMINERS

Chapter 12 Fees

Authority: Agriculture Article §11-203(b) and (c), Annotated Code of Maryland

.01 Scope and Purpose.

(Text unchanged).

.02 Fees.

- A. — F. (Text unchanged);
- G. Veterinary technician registration fee (triennial) — [~~\$75~~] *\$60*;
- H. Veterinary hospital license fee (annual) — [~~\$215~~] *\$150*;
- I. — K. (Text unchanged).

JOSEPH BARTENFELDER
Secretary of Agriculture