

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulation  
Department of Health and Mental Hygiene  
(DLS Control No. 16-222)**

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**Overview and Legal and Fiscal Impact**

The regulation reduces the fees that are owed to the State Board of Dental Examiners by dental radiation technologists for late renewal and certification reinstatement.

The regulation presents no legal issues of concern.

Special fund revenues for the State Board of Dental Examiners decrease by \$4,511 in both fiscal 2017 and 2018, due to reduced late renewal and reinstatement fees for approximately one-half of certified dental radiation technologists in those years only.

**Regulation of COMAR Affected**

**Department of Health and Mental Hygiene:**

Board of Dental Examiners: Fees: COMAR 10.44.20.02

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**Legal Analysis**

**Summary of Regulation**

The regulation reduces the fees that are owed to the board by dental radiation technologists in the years in which the fees are only applicable for one of the two year certification period. For late renewal, the fee is reduced from \$50 to be \$25, and for certification reinstatement, the fee is reduced from \$118 to be \$59.

**Legal Issues**

The regulation presents no legal issues of concern.

**Statutory Authority and Legislative Intent**

The board cites § 4-505 of the Health Occupations Article as statutory authority for the regulation. Section 4-505 requires the board to adopt regulations concerning the qualifications, training, certification, monitoring of, and enforcement requirements for dental radiation technologists.

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

## **Fiscal Analysis**

Special fund revenues for the State Board of Dental Examiners decrease by \$4,511 in both fiscal 2017 and 2018, due to reduced late renewal and reinstatement fees for approximately one-half of certified dental radiation technologists in those years only.

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

The regulation decreases the fees for late renewal and reinstatement for certified dental radiation technologists whose certificate numbers end in an even number and who are scheduled to renew their certificates in March 2017 and 2018. These individuals are required to pay one-half of the late renewal fee and reinstatement fee for the 2017 and 2018 renewal cycles.

The board advises that, although the late renewal fees and reinstatement fees are halved for approximately one-half of dental radiation technologists in fiscal 2017 and 2018, there is no economic impact. The Department of Legislative Services disagrees. According to the board, in fiscal 2015, approximately three percent of certified dental radiation technologists renewed late and approximately one percent applied for reinstatement. Dental radiation technologists are shifting to a staggered, biennial renewal cycle in fiscal 2017. All of the current 7,585 certified dental radiation technologists are scheduled to renew in fiscal 2017; however, approximately one-half of certified dental radiation technologists (those with even-numbered certificates) will renew again in fiscal 2018. The regulation requires these individuals to pay one-half of the current \$50 fee if they renew during the late renewal period and one-half of the current \$118 reinstatement fee if they apply for reinstatement for the 2017 and 2018 renewal cycles. As a result, board special fund revenues decrease by approximately \$4,511 in both fiscal 2017 and 2018. This estimate assumes that, in fiscal 2017 and 2018, approximately three percent of even-numbered certificate holders renew late and approximately one percent apply for reinstatement and pay reduced fees of \$25 and \$59, respectively.

### **Impact on Budget**

There is no impact on the State operating or capital budget.

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

The board 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:** Sara C. Fidler – (410) 946/(301) 970-5350

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