

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulation  
Department of Health and Mental Hygiene  
(DLS Control No. 16-185)**

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**Overview and Legal and Fiscal Impact**

The regulation authorizes a member of the State Board of Dental Examiners to sign a complaint completed by the board. Current regulations require a complaint to be signed by an officer of the board.

The regulation presents no legal issue of concern.

There is no fiscal impact on State or local agencies.

**Regulation of COMAR Affected**

**Department of Health and Mental Hygiene:**

Board of Dental Examiners: Rules of Procedure for the Disciplinary Process:  
COMAR 10.44.07.05

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**Legal Analysis**

**Summary of Regulation**

The regulation authorizes a member of the board to sign a complaint completed by the board. Current regulations require a complaint to be signed by an officer of the board.

**Legal Issues**

The regulation presents no legal issues of concern.

**Statutory Authority and Legislative Intent**

The Department of Health and Mental Hygiene cites §§ 4-316 and 4-318 of the Health Occupations Article as statutory authority for the regulation. Section 4-316 (c)(2) provides that if the board begins action on its own initiative or if after investigation it elects to substitute its own complaint for one filed by a person who is not a member of the board, the board shall prepare a written complaint. Section 4-318 is not relevant for this regulation.

The relevant cited 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.

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

The regulation permits any member of the State Board of Dental Examiners, rather than only an officer of the board, to sign a board-initiated complaint in order to commence proceedings or open an investigation. The department advises that the regulation does not have a fiscal impact; the Department of Legislative Services concurs.

## **Impact on Budget**

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

## **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**

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