

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	08/12/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 9/16/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

10 44 07 05

3. Name of Promulgating Authority

Department of Health and Mental Hygiene

4. Name of Regulations Coordinator Telephone Number
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Title 10
DEPARTMENT OF HEALTH AND MENTAL HYGIENE
Subtitle 44 BOARD OF DENTAL EXAMINERS
10.44.07 Rules of Procedure for the Disciplinary Process

Authority: Health Occupations Article, §4-316 and 4-318, Annotated Code of Maryland

Notice of Proposed Action

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The Secretary of Health and Mental Hygiene proposes to amend Regulation .05 under COMAR 10.44.07 Rules of Procedure for the Disciplinary Process. This action was considered by the Board of Dental Examiners at a public meeting held on August 3, 2016 notice of which was given under the Public Meetings link on the Board's website pursuant to General Provisions Article, § 3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to permit any member of the Board to sign a Board initiated complaint. Under the existing regulations, a complaint initiated by the Board must be signed only by an officer of the Board. The amendment will comport the regulation with the Health Occupations Article, § 4-316(c), Annotated Code of Maryland, which does not limit the signing of Board initiated complaints to Board officers.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499; TTY:800-735-2258, or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through October 17, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 2017
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:
- 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: Allowing any member of the Board to sign Board initiated complaints as opposed to only permitting Board officers to sign, will have no economic impact.
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
- See E. above.
- G. Small Business Worksheet:

Attached Document:

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 44 BOARD OF DENTAL EXAMINERS

10.44.07 Rules of Procedure for the Disciplinary Process

Authority: Health Occupations Article, §4-316 and 4-318, Annotated Code of Maryland

10.44.07.05 (June 30, 2016)

.05 Filing of Complaints.

A. The Board may commence proceedings or open an investigation under Health Occupations Article, §4-315, Annotated Code of Maryland, after the filing of a complaint:

(1) (text unchanged)

(2) Completed by the Board on its own initiative and signed by [an officer] *a member* of the Board.

B.—I. (text unchanged)

VAN T. MITCHELL

Secretary of Health and Mental Hygiene

