

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 1136

(Senator Eckardt)

Education, Health, and Environmental Affairs

Environment and Transportation

Regulation of Radiation Sources - Fee - Exemption for Pro Bono Temporary
Dental Clinics

This emergency bill exempts, beginning after June 30, 2016, a temporary dental clinic that holds a specified permit, provides all services on a pro bono basis, and operates fewer than 100 hours a year, from the requirement to pay fees for monitoring and regulating sources of radiation.

Fiscal Summary

State Effect: Negligible decrease in special fund revenues for the Maryland Department of the Environment (MDE) due to the fee exemption. According to MDE, in the past five years, only four temporary pro bono dental clinics were held, and the total fee revenue resulting from those clinics ranged from \$320 to \$720 per year. Expenditures are not affected.

Local Effect: The bill does not materially affect local government finances or operations.

Small Business Effect: Minimal.

Analysis

Current Law: MDE adopts rules and regulations for general licenses and specific licenses that govern (1) ionizing radiation sources and by-product material; (2) special nuclear material; and (3) devices that use ionizing radiation sources, by-product material, and special nuclear material. The Secretary of the Environment may adopt rules and regulations that establish a fee schedule for general licenses, specific licenses, and the registration of radiation machines or other sources of radiation. In adopting the regulations,

MDE must consult with the regulated profession or industry to determine that the license fee is reasonable and directly related to the actual cost of the licensing and regulatory activity.

For a dental office or dental facility operated by a licensed dentist, a partnership of licensed dentists, a professional association of licensed dentists, or a public health dental facility, the Secretary may adopt regulations that establish a fee to offset the costs of monitoring and regulating sources of radiation within that dental facility. Statute establishes an increasing maximum fee that began at \$60 per dental radiation machine in 2002 and is currently set at \$80 per dental radiation machine per year. The Secretary of the Environment must reduce fees proportionately to reflect the balance of any unspent or unencumbered fees collected in the previous fiscal year.

The provisions of current law that relate to fees for monitoring and regulating sources of radiation at dental facilities do not apply to dental schools accredited by the Commission on Dental Accreditation of the American Dental Association.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of the Environment, Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - March 15, 2016
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