



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

January 23, 2025

The Honorable Vanessa E. Atterbeary  
Chair, House Ways and Means Committee  
130 Taylor House Office Building  
Annapolis, MD 21401-1991

**RE: House Bill (HB) 231 – Constitutional Amendment - Fee or Tax Rate Increases - Yea and Nay Vote of General Assembly Required (Taxpayer Disclosure and Protection Act) – Letter of Opposition**

Dear Chair Atterbeary and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of opposition for HB 231 Constitutional Amendment - Fee or Tax Rate Increases - Yea and Nay Vote of General Assembly Required (Taxpayer Disclosure and Protection Act). HB 231 requires that an increase of a State fee or tax be explicitly approved by the General Assembly through a yea and nay vote.

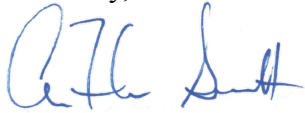
MDH and its statutorily independent Boards and Commissions are committed to ensuring public participation in rulemaking for fee increases in accordance with existing State procedures. Currently, the Maryland General Assembly is involved in the regulatory process through the Joint Committee on Administrative, Executive, and Legislative Review (AELR). All proposed regulations, including regulations related to fees, are submitted to the AELR Committee for review at least 15 days before they are submitted to the Maryland Register for publication. Further, as a part of this review, MDH provides detailed information to AELR on the economic and small business impacts of regulatory proposals.

MDH utilizes the public rule-making process to determine the manner by which fee increases occur. Upon publication as a proposal in the Maryland Register, all regulations undergo a public comment period of at least 30 days. Prior to finalization, in accordance with the Administrative Procedures Act, the proposing unit must respond to all comments received during the public comment period. Only after members of the public have had the opportunity for notice and to be heard can the proposal be submitted to the Register for final action.

Additionally, as public bodies, MDH's statutorily independent Boards and Commissions distribute information about proposed regulatory fee changes at public meetings and provide notice on their websites. Furthermore, some MDH units have begun to utilize an informal public comment period prior to publication in the Maryland Register to garner feedback from stakeholders and community members regarding those proposals before beginning the formal rulemaking process.

If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs, at [sarah.case-herron@maryland.gov](mailto:sarah.case-herron@maryland.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Laura Herrera Scott".

Laura Herrera Scott, M.D., M.P.H.  
Secretary