

MARYLAND REGISTER

Proposed Action on Regulations

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| Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations | Date Filed with AELR Committee | TO BE COMPLETED BY DSD |
| | 05/10/2016 | Date Filed with Division of State Documents |
| | | Document Number |
| | | Date of Publication in MD Register |

1. Desired date of publication in Maryland Register: 5/27/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

15 14 12 02

3. Name of Promulgating Authority

Department of Agriculture

4. Name of Regulations Coordinator

Iva Benson

Telephone Number

410-841-5829

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50 Harry S. Truman Parkway, Suite 303

| | | |
|-------------|--------------|-----------------|
| City | State | Zip Code |
| Annapolis | MD | 21401 |

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iva.benson@maryland.gov

5. Name of Person to Call About this Document

Ron Buckhalt

Telephone No.

(410) 841-5804

Email Address

ron.buckhalt@maryland.gov

6. Check applicable items:

☐ New Regulations

X- Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: May 9, 2016.

☐ Repeal of Existing Regulations

☐ Recodification

☐ Incorporation by Reference of Documents Requiring DSD Approval

☐ Reproposal of Substantively Different Text:

: Md. R

(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

☐ Yes **X-** No

8. Incorporation by Reference

☐ Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

☐ OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

☐ OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

☐ Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Craig Nielsen, Assistant Attorney General, (telephone #(410) 841-5883) on May 10, 2016. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Joseph Bartenfelder

Title

Secretary

Telephone No.

(410) 841-5884

Date

May 10, 2016

Title 15

DEPARTMENT OF AGRICULTURE

Subtitle 14 BOARD OF VETERINARY MEDICAL EXAMINERS

15.14.12 Fees

Authority: Agriculture Article, §2-303, Annotated Code of Maryland

Notice of Proposed Action

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The State Board of Veterinary Medical Examiners proposes to amend Regulation .02 under COMAR 15.14.12 Fees.

Statement of Purpose

The purpose of this action is to reduce technician registration and hospital license fees to be paid to the State Board of Veterinary Medical Examiners.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact.

There will be a moderate impact on revenue received by the State Board of Veterinary Medical Examiners and a moderate impact on regulated persons beginning with the 2017 fiscal year for the reduction of veterinary technician registration fees and veterinary hospital license fees.

| II. Types of Economic Impact. | Revenue (R+/R-) | Magnitude |
|---|-------------------------|-----------|
| | Expenditure (E+/E-) | |
| A. On issuing agency: | (R-) | \$35,500 |
| B. On other State agencies: | NONE | |
| C. On local governments: | NONE | |
| | Benefit (+) Cost (-) | Magnitude |
| D. On regulated industries or trade groups: | (+) | \$35,500 |
| E. On other industries or trade groups: | NONE | |
| F. Direct and indirect effects on public: | (+) | Unknown |

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The State Board of Veterinary Medical Examiners registers 200 veterinary technicians and licenses 500 veterinary hospitals. The Board proposes to reduce the registration fee by \$65 (from \$215 to \$150). This results in a total revenue reduction of \$35,500 ($200 \times 15 = \$3,000$; $500 \times \$65 = 32,500$) $\$3,000 + 32,500 = \$35,500$).

D. See II. A. above for magnitude of benefit to regulated industries.

F. Lower fees reduce the cost of doing business and may result in some unknown benefit to the public.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

The \$35,500 revenue not coming to the State Board of Veterinary Medical Examiners will stay with individuals and small businesses. It is difficult to quantify the exact positive impact, but there is some.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Ron Buckhalt, Executive Director, Maryland Department of Agriculture, 50 Harry S. Truman Parkway, or call (410) 841-5804, or email to ron.buckhalt@maryland.gov, or fax to (410) 841-5780. Comments will be accepted through June 27, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 17

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Special funds - The Board of Veterinary Medical Examiners Fund.

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:

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

G. Small Business Worksheet:

Small Business Analysis Worksheet

This worksheet is designed to assist the agency in determining if and how the proposal impacts small businesses. Quantify the number of affected small businesses and estimates of costs and benefits to small businesses if possible. State Government Article, §2-1505.2, includes the following definitions which are relevant to the analysis:

“Economic impact analysis” means an estimate of the cost or the economic benefit to small businesses that may be affected by a regulation proposed by an agency pursuant to Title 10, Subtitle 1 of this article.

“Small business” means a corporation, partnership, sole proprietorship, or other business entity, including its affiliates, that: (i) is independently owned and operated; (ii) is not dominant in its field; and (iii) employs 50 or fewer full-time employees.

1a. Intended Beneficiaries. Who are the intended beneficiaries of the proposed regulation? Are these intended beneficiaries primarily households or businesses?

Veterinary technicians and veterinary hospitals

1b. Intended Beneficiaries: Households. If households are the primary intended beneficiaries, will the proposal affect their income or purchasing power such that the volume or patterns of their consumer spending will change? If so, what directions of change would you anticipate? Will these expected spending changes have a disproportionate impact on small businesses? Can you descriptively identify the industries or types of business activities that are impacted?

N/A

1c. Intended Beneficiaries: Businesses. If businesses are the intended beneficiaries, identify the businesses by industry or by types of business activities. How will businesses be impacted? Are these Maryland establishments disproportionately small businesses? If so, how will these Maryland small businesses be affected? Can you identify or estimate the present number of small businesses affected? Can you estimate the present total payroll or total employment of small businesses affected?

Businesses. Veterinary technicians and veterinary hospital owners may benefit to a moderate degree.

2a. Other Direct or Indirect Impacts: Adverse. Businesses may not be the intended beneficiaries of the proposal. Instead, the proposal may direct or otherwise cause businesses to incur additional expenses of doing business in Maryland. Does this proposal require Maryland businesses to respond in such a fashion that they will incur additional work-time costs or monetary costs in order to comply? Describe how Maryland establishments may be adversely affected. Will Maryland small businesses bear a disproportionate financial burden or suffer consequences that affect their ability to compete? Can you estimate the possible number of Maryland small businesses adversely affected? (Note that small business compliance costs in the area of regulation are the sum of out-of-pocket (cash) costs plus time costs — usually expressed as payroll, akin to calculations for legislative fiscal notes. Precise compliance costs may be difficult to

estimate, but the general nature of procedures that businesses must accomplish to comply can be described.)

N/A

2b. Other Direct or Indirect Impacts: Positive. Maryland businesses may positively benefit by means other than or in addition to changed consumer spending patterns. How may Maryland businesses be positively impacted by this initiative? Will Maryland small businesses share proportionately or disproportionately in these gains? Can you estimate the possible number of Maryland small businesses positively affected?

Lower fees for veterinary technicians and veterinary hospitals.

3. Long-Term Impacts. There are instances where the longer run economic impact effect from regulations differ significantly from immediate impact. For example, regulations may impose immediate burdens on Maryland small businesses to comply, but the overall restructuring of the industry as a consequence of monitoring and compliance may provide offsetting benefits to the affected small businesses in subsequent years. Can you identify any long run economic impact effects on Maryland small businesses that over time (a) may compound or further aggravate the initial economic impact described above, or (b) may mitigate or offset the initial economic impact described above?

Veterinary technicians and veterinary hospitals that renew their registrations will receive the greatest benefit.

4. Estimates of Economic Impact.

A. Cost of providing goods and services.

If applicable, cannot be determined at this time

B. Effect on the workforce.

If applicable, cannot be determined at this time

C. Effect on the cost of housing.

If applicable, cannot be determined at this time

E. Efficiency in production and marketing.

If applicable, cannot be determined at this time

F. Consumer choice.

If applicable, cannot be determined at this time

Attached Document:

TITLE 15
DEPARTMENT OF AGRICULTURE
Subtitle 14 BOARD OF VETERINARY MEDICAL EXAMINERS
Chapter 12 Fees

Authority: Agriculture Article §11-203(b) and (c), Annotated Code of Maryland

.01 Scope and Purpose.
(Text unchanged).

.02 Fees.

- A. — F. (Text unchanged);
- G. Veterinary technician registration fee (triennial) — [~~\$75~~] *\$60*;
- H. Veterinary hospital license fee (annual) — [~~\$215~~] *\$150*;
- I. — K. (Text unchanged).

JOSEPH BARTENFELDER
Secretary of Agriculture