

Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §4-701, Annotated Code of Maryland

Notice of Proposed Action

[25-043-P]

The Secretary of Natural Resources proposes to amend Regulation .05 under **COMAR 08.02.01 General**.

Statement of Purpose

The purpose of this action is to update the commercial license targets. The proposed action modifies the authorization targets to reflect the number of tidal fish license conversions since April 15, 2019. The modification is necessary to accurately reflect the number of authorizations available.

Natural Resources Article, §4-701, Annotated Code of Maryland allows a licensee to convert (downgrade) their unlimited tidal fish license (UTFL) into its individual component authorizations and requires the Department to adjust all authorizations accordingly. Licensees who downgrade their UTFL may choose which license components of the UTFL they want to retain. Downgrading a UTFL decreases the UTFL target and increases the target of each license type that is included in a UTFL (resident fishing guide (FGR); unlimited finfish harvester (FIN); crab harvester 300 pot (CB3); clam harvester (CLM); oyster harvester (OYH); oyster dredge boat (ODB); and conch, cancer crab, turtle, lobster (CCTL)). The number and type of authorizations involved in a downgrade of a UTFL provide the basis for changes to the license authorization target levels.

The proposed action decreases the UTFL number by 16 and increases the number for FGR, FIN, CB3, CLM, OYH, ODB, and CCTL by 16 each. The total number of UTFL downgrades includes: 11 from the 2019/2020 license year; 0 from the 2020/2021 license year; 2

from the 2021/2022 license year; 2 from the 2022/2023 license year; and 1 from the 2023/2024 license year. The downgrades have not been captured in previous regulation proposals and are correct as of January 15, 2025.

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 License Targets, Regulatory Staff, Department of Natural Resources Fishing and Boating Services, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8300, or email to complete the comment form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#commlic> or email fisheriespubliccomment.dnr@maryland.gov. Comments will be accepted through June 2, 2025. A public hearing has not been scheduled.

.05 Targets for the Number of Tidal Fish License Authorizations.

A. The targets for the number of tidal fish license authorizations issued by the Department are the number of authorizations issued between September 1, 1998, and March 31, 1999, including adjustments made annually according to specifications listed in §B of this regulation, listed by the following categories:

Abbreviation Authorization		Number
FGR	Fishing Guide Resident	[501] 517
FGN—HLI	(text unchanged)	
FIN	Unlimited Finfish Harvester	[283] 299
LCC—LCCM	(text unchanged)	
CB3	Crab Harvester—300 Pots	[282] 298
CB6—CB9	(text unchanged)	

CLM	Clam Harvester	[51] 67
OYH	Oyster Harvester	[716] 732
ODB	Oyster Dredge Boat	[43] 59
[CTL] CCTL	Conch, Cancer Crab, Turtles, and Lobster Harvester	[50] 66
UTFL	Unlimited Tidal Fish	[2,080] 2064

B.—C. (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

Title 10

MARYLAND DEPARTMENT OF HEALTH

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.05 Dental Services

Authority: Health-General Article, §§2-104(b), 15-103, and 15-105, Annotated Code of Maryland

Notice of Proposed Action

[25-069-P-I]

The Secretary of Health proposes to amend Regulations .01—.05, .07, and .10 under **COMAR 10.09.05 Dental Services**.

Statement of Purpose

The purpose of this action is to:

- (1) Update and add new definitions to align with current policy;
- (2) Update covered services to include the adult benefit package;
- (3) Remove limitations on prefabricated zirconia crowns;
- (4) Remove duplicative appeal language under appeal procedures;
- (5) Clarify guidelines between mobile dental units and mobile dental practice; and
- (6) Clarify license requirements for mobile dental units and mobile dental practices.

Estimate of Economic Impact

I. Summary of Economic Impact. The Department has allocated \$19.6 million to fee increases for dental rate reimbursement. Sixty-six preventative and restorative dental services codes receive an increased reimbursement rate with this action. The Department anticipates an increase in expenditures of \$19.6 million while Maryland Medicaid Dental Providers will see a \$19.6 million benefit from these increased rates.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:		
Maryland Department of Health	(E+)	\$19,600,000
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude

Cost (-)

D. On regulated industries or trade groups:

Maryland Medicaid Dental Providers (+) \$19,600,000

E. On other industries or trade groups:

NONE

F. Direct and indirect effects on public:

NONE

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

A.

(a) The Department has allocated \$19.6 million to fee increases for dental rate reimbursement.

(b) The funding total includes \$9.1 million of general funds.

(c) The Department worked with stakeholders to identify 66 preventative and restorative dental service codes that would receive an increase in reimbursement rate.

(d) The Department collaborated with these stakeholders to create two tiers for the 66 preventative and restorative dental service codes. Tier I service codes received a reimbursement rate increase of 20 percent and Tier II service codes received a reimbursement rate increase of 5.49 percent.

D. See A.

Economic Impact on Small Businesses

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

To the extent that dental providers are small businesses and are eligible to enroll in Maryland Medicaid to provide these services, providers are estimated to receive approximately \$19.6 million in additional revenue.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jordan Fisher Blotter, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 W. Preston Street, Room 534, Baltimore, Maryland 21201, or call 410-767-0938, or email to mdh.regs@maryland.gov. Comments will be accepted through June 2, 2025. A public hearing has not been scheduled.

Editor's Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, the Maryland Medicaid Dental Fee Schedule and Procedure Codes 2024 CDT Maryland Medical Assistance Program has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 52:2 Md. R. 53 (January 24, 2025), and is available online at www.dsd.maryland.gov. The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) "Adverse action" means any action taken by the [dental benefits administrator (DBA)] *DASO* to deny, reduce, terminate, delay, or suspend a covered service.

(2)—(3) (text unchanged)