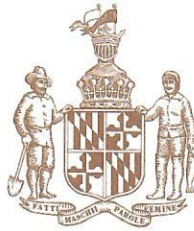


ANGELA ANGEL
Legislative District 25
Prince George's County



Annapolis Office
The Maryland House of Delegates
6 Bladen Street, Room 216
Annapolis, Maryland 21401
410-841-3707 · 301-858-3707
800-492-7122 Ext. 3707
Fax 410-841-3423 · 301-858-3423
Angela.Angel@house.state.md.us

Health and Government Operations
Committee

Subcommittees

Health Facilities and Occupations
Insurance

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 28, 2017

Tara Isa Koslov, Acting Director
Office of Policy Planning
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580
TKOSLOV@ftc.gov

Dear Ms. Koslov:

As a member of the Maryland House of Delegates and the Health and Government Operations Committee, I am writing to ask for the Federal Trade Commission's ("FTC") comments on a bill recently introduced in the General Assembly of Maryland that would subject dentists supported by Dental Support Organizations ("DSOs") to substantial liability for engaging in activities that benefit consumers. The bill, House Bill 1292, was introduced on February 10, 2017, and may be found at the following link: <http://mgaleg.maryland.gov/2017RS/bills/hb/hb1292f.pdf>.

For many years, DSOs in Maryland have assisted dentists and dental practices with a variety of non-clinical aspects of operating a successful practice, including accounting, bookkeeping, scheduling services, procurement, and the like. As a result, dentists who receive administrative support services from DSOs have been able to devote more time to treating patients. Consumers in Maryland have benefitted greatly from this expansion in output.

A number of provisions in House Bill 1292 appear to threaten these consumer benefits without any material offsetting benefits. Both substantive restrictions in House Bill 1292 (e.g., broadly defining the practice of dentistry to include "any...decision that affects patient care and treatment") and enhanced penalties (e.g., violations can result in a fines of up to \$20,000 per day and imprisonment of up to five years) are likely to have a chilling effect on the DSO-supported practice model in Maryland.

We note that another recently-introduced bill -- House Bill 1022, available at <http://mgaleg.maryland.gov/2017RS/bills/hb/hb1022f.pdf> -- similarly seeks to increase the criminal penalties for practicing dentistry without a license or aiding and abetting the practice. If passed in its current form, the offense would be classified as a felony.

In light of the FTC's history of challenging anticompetitive conduct of Dental Boards and commenting to state legislatures and regulatory bodies on pending legislation or administrative rules that have the effect of limiting competition for dental services, I respectfully request any comments or guidance from the FTC on the potential impact on consumers of House Bills 1292 and 1022.

Sincerely,



Delegate Angela M. Angel
District 25
Member, Health and Government Operations Committee